

THE GOVERNMENT OF  
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STATE CAPITOL

SUPPLEMENT TO  
GOVERNMENT: ITS ORIGIN, GROWTH  
AND FORM IN THE UNITED STATES

By R. LANSING and G. M. JONES

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THE GOVERNMENT  
OF MICHIGAN

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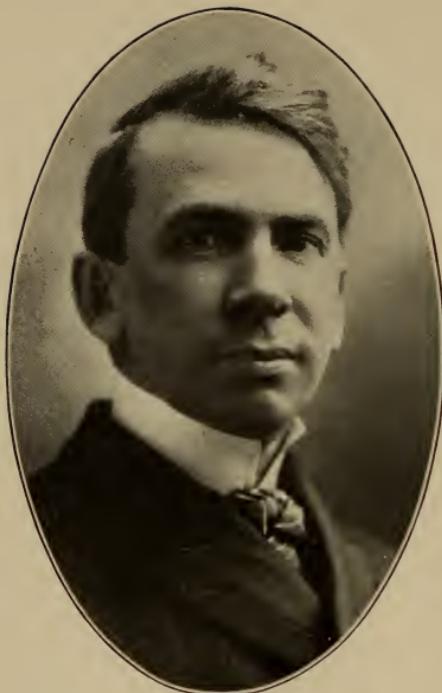
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# THE GOVERNMENT OF MICHIGAN

## CHAPTER I HISTORICAL SKETCH

**The French.**—While the English were settling along the Atlantic coast the French in canoes were pushing up the St. Lawrence River and along the Great Lakes. With mixed motives of adventure, trade, conversion of the Indians and the extension of the domains of France, bushrangers, traders, priests and soldiers came to the region we now call Michigan.

Few came to cultivate the soil or to build permanent homes. The desire to obtain beaver skins from the Indians and to save their souls was largely the reason for the establishment of temporary trading posts and mission stations. But as early as 1668, fourteen years before Philadelphia was founded, Père Marquette established a mission at the Falls of St. Mary (Sault de Ste. Marie), which proved to be the first permanent settlement in our present state.

Another Frenchman, no less renowned than Father Marquette, who explored this region was La Salle. In 1679 he launched the first sailboat upon the Great Lakes, came up the Detroit River, named Lake St. Clair and sailed on to Lake Michigan.

The most important settlement made by the French within the limits of our state was Detroit. Cadillac,

who had observed the advantages of the location for trade with the Indians, brought a few settlers and soldiers in 1701 to occupy it. He endeavored to have his people cultivate the soil, become self-supporting and give the settlement stability. In time Cadillac's dream came true and Detroit became the most important French town in the West.

Other settlements made by the French were at St. Ignace, Mackinac and Frenchtown, later called Raisinville, and now Monroe.

**The French and Indian War.** — The English, however, were getting a firmer foothold upon America than the French, and when they came into conflict in the French and Indian War the English crushed the French power on this continent. Together with Canada and the whole Northwest, Michigan passed under the control of the English in 1763.

**Pontiac's Conspiracy.** — An Englishman could not get along as well with the Indians as a Frenchman could, and the red men of the Northwest were not well pleased with the change of government.

There happened to be at this time a great Ottawa chieftain in the West named Pontiac. He was a man of ability and ambition. He saw that the English occupation was different from the French and meant in time the driving out or suppression of the Indians. He felt that the only way by which they could save their hunting grounds was by a quick and vigorous blow.

Pontiac, therefore, obtained the coöperation of many tribes and formed a strong combination to drive out the English. Many forts and settlements were sur-

prised and destroyed. Among them was that at Mackinac, where the savages, apparently friendly, engaged in a game of ball near the fort while their women came inside the walls with weapons hidden under their blankets. The garrison, off their guard, lounged outside the walls, watching the ball game. The ball having been thrown into the fort, the warriors rushed through the open gate, seized their weapons from the squaws and captured the stronghold.

At Detroit Pontiac was less successful, although his plot there was a shrewd one. The Indians cut off their gun barrels so that they could be hidden beneath their blankets. They then went to the fort and asked for a council with the English. Upon a given signal from Pontiac they were to attack the unsuspecting white men and gain possession of the fort. But the plan was revealed to Major Gladwin, the commander, by an Indian girl, and when the Indians arrived they found the soldiers ready for them. Foiled in his attempt to capture Detroit by strategy, Pontiac undertook to take it by siege, and the garrison was closely shut in by the savages for months. At last reinforcements arrived from the East and the siege was raised.

**The Revolutionary War in the Northwest.** — At the beginning of the Revolutionary War Colonel Hamilton was the British commander at Detroit. He hired the Indians with large quantities of rum and with firearms to attack the small scattered settlements of Americans in Kentucky and Pennsylvania. By offering rewards for scalps he earned the name of "hair buyer." Often during the war Detroit was enlivened by returning bands of Indians with their

prisoners and scalps, and many a scene of savage revelry and drunken debauchery followed.

The activity of the Indians, encouraged as it was by the English, aroused the Kentuckians, and George Rogers Clark determined to capture the British posts in the Northwest. With a band of about one hundred and eighty men he marched across the country and captured Kaskaskia and other places in what is now Illinois. Colonel Hamilton marched from Detroit to Vincennes, an old French settlement in the present State of Indiana, and prepared to drive Clark back. The latter, however, made a very difficult march in the winter time, the soldiers for a considerable distance wading across flooded lands with the water nearly to their necks, and surprised and captured Vincennes and Hamilton himself.

Clark wished to attack Detroit, but was not able to do so. His expedition, nevertheless, had practically put the Northwest into the hands of the Americans, and when the treaty of peace was made in 1783, that region, including Michigan, became a part of the United States.

The British, however, were loath to give up the splendid country about the Great Lakes, and for thirteen years after the treaty they held the fort at Detroit and other posts. They wished to keep control of the profitable fur trade as long as possible. Then, too, they knew that the United States was a weak nation and that the thirteen states were jealous of each other and often quarreled among themselves, and they hoped that, in case the new Union should break up, they could retain the western country at

least, even if they did not bring back the whole country under the government of England. But they had some excuse for holding the posts, for the different states had made it practically impossible for English merchants to collect debts contracted by the Americans before the war.

After Jay's treaty was made, Detroit was turned over to our government, and the stars and stripes, following the lily of France and the union jack of Great Britain, were for the first time unfurled to the breezes of Michigan, July 11, 1796.

**The Land Cessions.**—The region between the Ohio River, the Mississippi and the Great Lakes, including Michigan, was claimed by the states of Virginia, Connecticut, Massachusetts and New York. These claims were based upon their early colonial charters or upon grants made by the Indians. At about the close of the Revolutionary War, however, these states surrendered their claims to this region to the Federal government.

**Ordinance of 1787.**—After the northwestern country had been turned over to the United States, settlers began to move into it, and some form of local government became desirable. This was provided for by a law passed by Congress, called the Ordinance of 1787, which was a very important document in our history. It organized the first territory of the United States, encouraged the settlement of the western country and paved the way for the formation of the great states of Ohio, Indiana, Illinois, Michigan and Wisconsin.

It contained many wise provisions. It provided for legislative, executive and judicial officers, and for

a framework of government. It promised future statehood for the region, not less than three nor more than five states to be formed out of it. Slavery was forbidden forever. It stated that "Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

**The Territory of Michigan.** — The Northwest Territory, as it was called, remained undivided until 1800. In that year it was divided into two parts by a line running north and south nearly through the middle of the present lower peninsula of Michigan. The eastern part retained the old name of the Northwest Territory, while the western portion was called Indiana Territory.

In 1802, when Ohio was formed into a state, what is now Michigan was included in the Territory of Indiana.

Michigan became a separate territory in 1805. It consisted of the region north of a line drawn due east from the southern extremity of Lake Michigan and east of a line drawn through the middle of that lake to its northern end and then due north. It thus included the southern peninsula, the eastern end of the upper peninsula and a narrow strip of northern Indiana and Ohio.

From the time that Illinois was admitted as a state in 1818 until Michigan itself became a state in 1837, the territory of Michigan embraced the lower and upper peninsulas, Wisconsin and the part of Minnesota east of the Mississippi. Between the years 1834 and 1836 our territory was even larger than that, extend-

ing westward as far as the Missouri River. Thus Michigan had been under three flags and of various sizes and shapes by the time it became a state.

The early settlers in the territory were mostly French, and not many others came in for many years. The country was but little developed before the War of 1812; Detroit was not a large town; and the few other settlements were still smaller. The French settlers were not very progressive or enterprising.

The government was carried on by a governor, a secretary and three judges, all appointed by the president. The governor and judges constituted the legislative body. The people, it will be seen, had no part in governing themselves.

**The War of 1812 in Michigan.** — General Hull was governor of Michigan Territory when war with England broke out in 1812. He was put in command of a military force and carried on some operations along the Detroit River, at one time pushing some distance into Canada. He soon withdrew, however, to the American side of the river and shut his little army up in Detroit.

To this place a British force advanced and Hull, contrary to the advice of his officers and against the wishes of his men, who were eager to fight, surrendered Detroit without striking a blow.

Hull was tried for this by a court-martial, found guilty and sentenced to be shot; but the president pardoned him because of his services during the Revolutionary War. He maintained that his force was not large enough to hold out against the British and Indians, and that if he had offered resistance and

then the town had fallen into the hands of the enemy, the Indians would have massacred the inhabitants, including the women and children.

A military force, coming from Kentucky to recapture Detroit, was massacred on the river Raisin in the winter of 1813. But Commodore Perry won a brilliant victory over the British fleet on the western end of Lake Erie, September 10, 1813, when the British troops left Detroit and retreated into Canada, leaving Michigan again under the stars and stripes.

**Growth and Development.**—General Lewis Cass was made governor of the territory in 1813 and his energy and administrative ability were soon felt in its development. Americans came into the territory in increasing numbers, bringing improved methods of farming and of carrying on other business. Changes were also made in the form of government, so that the people gradually began to share in its administration.

General Cass remained governor of the territory until 1831. He was eminently fitted for the position. He understood the Indians and exercised great control over them. He made many treaties with them in behalf of the United States by which he secured title to large parts of Michigan for the white man. During his long administration many counties were organized, roads were built, settlements were made, farms were cleared and the territory forged rapidly ahead.

By the opening of the Erie Canal in 1825 and by the use of steamboats on Lake Erie, the first of which, "Walk-in-the-Water," arrived at Detroit in 1818, people from New England and New York were enabled

to reach Michigan much more readily than formerly, and the population increased rapidly.

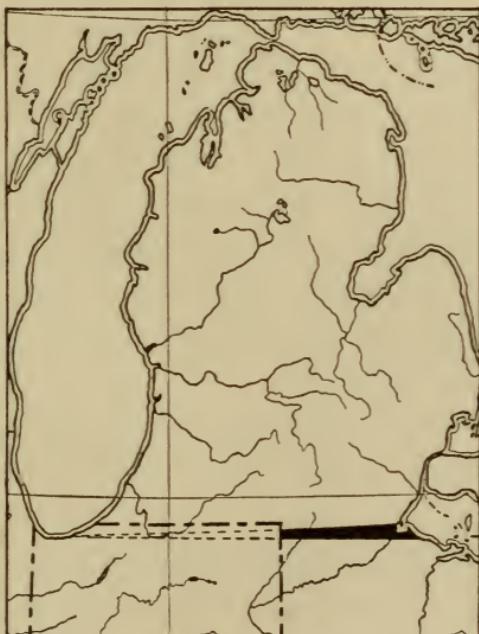
**Admittance as a State.** — By 1835, Michigan was ready for statehood. A convention was held and a constitution was drafted. But a boundary controversy with Ohio now arose which delayed admittance to the Union for some time.

The people of Michigan maintained that the southern boundary of the new state should be on a line drawn from the southern point of Lake Michigan due eastward until it intersected Lake Erie, according to the Ordinance of 1787.

Ohio claimed that her northern boundary was on a line drawn from the southern extremity of Lake Michigan to the northern side of Maumee Bay.

It was not so much the strip of land in controversy (a strip a few miles wide running from Indiana to Lake Erie) that each wanted as it was the mouth of the Maumee River and the promising town of Toledo.

The quarrel waxed so warm that the militia was called out on both sides and war seemed imminent. Bloodshed was averted, however, and the "Toledo



THE DISPUTED TERRITORY

War" was settled by a compromise which was forced upon Michigan by Congress. Ohio was given the disputed tract and Michigan was given the upper peninsula, which was not considered valuable at that time.

Michigan was admitted to the Union in January, 1837.

**Later History.** — The history of the state since 1837 cannot be told here. The population has continued to increase, and the country has been largely developed. For many years lumbering was the greatest industry. Farming has superseded it, however, and today Michigan is one of the great agricultural states of the Union. Vast deposits of copper, iron and other minerals are being mined, and manufacturing has become one of the principal industries of the people.

Michigan has had three constitutions; the first adopted in 1835, the second in 1850 and the present one in 1909.

The state bore its share in the Civil War, and in other ways it has taken an honorable part in the life of the nation. Its people have come from all parts of the civilized world and have become good Americans. On the whole, "life is worth living" in the Wolverine State.

**REFERENCES.** — Pupils should be encouraged to study more extensively the history of the state from the following books: Hemans' "History of Michigan"; Cooley's "Michigan"; The Michigan Pioneer and Historical Society's "Collections"; Parkman's "La Salle and the Discovery of the Great West"; Mowry's "Territorial Growth of the United States": Hinsdale's "Old Northwest."

## CHAPTER II

### SCHOOLS

Outside of their homes, boys and girls usually first come in contact with government in the school. They may sometimes ask such questions as these: "What right has the teacher to govern us?" "How does she get her pay?" "Who built and paid for the school-house?" "Who furnishes the desks, the crayon and erasers, the maps, the dictionary and the wood or coal?"

Doubtless most of the boys and girls know that the school board hires and pays the teacher and gives her authority to take charge of the school and govern the children. The school board also had the school-house built, and it buys the things that are needed in the schoolroom and the fuel to warm it. In fact, the board has general charge of school matters and the running of the school.

The school belongs to all the people, but the board is chosen by the people to manage it for them; that is, the board represents the people.

**Who May Vote.** — But not all the people may take part in choosing members of the board. Those persons who are citizens of the United States, twenty-one years of age or over, who have resided in the school district for three months just before the election and who are the parents or legal guardians of a child of school age (i.e. between the ages of five and twenty) living in the

district, may vote for members of the board and upon any other question that may come up in school meetings, except such as do not directly involve the raising of money by taxation. Those persons who are citizens of the United States, twenty-one years of age or over, who have resided in the school district for three months just before the election and who have property assessed for school taxes in the district, may vote for members of the board and upon all other questions that may arise, including the raising of money by a tax. Notice, therefore, that there are two classes of persons legally qualified to vote at school meetings, and also that women may vote just the same as men at these meetings.

**Annual Meeting.**—The members of the school board are chosen at the annual school meeting, which is held on the second Monday of July, except in a few cities, usually at the schoolhouse. Special meetings of the voters for the transaction of school business may also be called by the board.

Besides electing members of the board, the qualified voters at the annual meeting have the power: to select a site for a schoolhouse, and they may direct the board to purchase such a site; to provide for building a schoolhouse or for making additions to it; to vote to raise money for certain purposes by taxation; and to do various other things.

**School Board.**—In rural districts the school board consists of three persons, one being elected every year for a term of three years. Any one who is qualified to vote on all questions at the annual meeting may be elected a member of the board.

It is the business of the board to carry out the resolutions voted at the annual and special school meetings; to hire teachers; to keep the schoolhouse in good condition; to vote taxes sufficient for maintaining the school; to purchase maps, globes, dictionaries, books and other supplies and apparatus; to decide upon any studies to be taught in addition to those which must be taught as provided by law; to select the textbooks to be used; to adopt such rules and regulations for the management of the school as it may think necessary; to buy fuel; to hire janitors; to purchase books for poor children; and to suspend or expel disorderly pupils.

**Officers of the Board.** — One member of the board is chosen at the annual meeting as moderator. He presides at all meetings of the board and of the voters of the district. He also countersigns all orders for money drawn by the director upon the treasurer.

Another member is elected director. He is secretary of the board and of the school district and keeps a record of the proceedings of all meetings. He gives notice of the annual and special meetings of the district. He draws orders upon the treasurer whenever money is to be paid out for school purposes. He buys the apparatus and supplies that have been ordered by the board, and such other things as are necessary for carrying on the work of the school. He is the executive officer of the board.

A third member of the board is elected treasurer. He receives and keeps the money for the district until paid out upon orders drawn by the director and countersigned by the moderator. He must keep an account of all money received and paid out.

**Graded Districts.** — For villages and cities a somewhat different kind of school district, called a graded district, is formed. Any district containing more than one hundred children of legal school age may be formed into a graded district by a majority vote of the qualified voters present at a school meeting. In such a district a high school is usually established and a superintendent of schools employed. In a graded district the board is composed of five members elected for terms of three years, one or two going out of office each year. The board elects from its own number a president, a secretary and a treasurer, who have the powers and duties respectively of the moderator, director and treasurer of the rural board. In some of the larger cities the school board consists of a different number of members. The board in a graded district has about the same powers and duties as the board in a rural district, with a few additional ones.

**Organization and Size of Districts.** — School districts are formed and their boundaries fixed or changed by the township board. Any number may be formed in a township, and their number and size vary considerably in different townships.

**Township Districts.** — Sometimes instead of being divided into school districts, the whole township is organized into one district called a township school district. This may be done whenever a majority of the qualified school voters shall vote for it. The school board of such a district consists of five members elected for a term of three years. This board manages all the schools of the township and may employ a superintendent of schools and may establish a high

school for the children of the township. Not many township school districts have yet been formed in Michigan except in the upper peninsula.

**School Census.**—Every year the director or secretary of the school board, or some one appointed by the board, takes a census of all children of legal school age, that is, between the ages of five and twenty, living within the district. This is done sometime during the last fifteen days of May, except in incorporated cities of 3000 inhabitants or over, where it may be taken during the last twenty days of May. It is done for the purpose of determining the proper share of money from the state for each district, as the state distributes money every year among the school districts according to the number of children of legal school age living in each of them.

**Compulsory Education.**—The law requires that every child between the ages of seven and sixteen years shall attend a public school continuously during the entire school year. The following children are excepted: those who attend a good private or parochial school; those who have received an eighth-grade diploma; those physically unable to attend; those over fourteen years of age whose services are essential to the support of their parents; those under nine years of age whose parents do not reside within two and one-half miles of a public school; and those between the ages of twelve and fourteen while attending church confirmation classes.

A county truant officer is appointed by the commissioner of schools to enforce this law in rural districts, and the board of education appoints one in each graded

district. Penalties of fines and imprisonment are provided for parents who do not obey this law.

**Payment of Tuition by School Boards.** — The board of education in any district not maintaining a high school is required to pay the tuition of any child who has completed the studies of the eighth grade at any one of the three nearest high schools. In order to secure this payment of tuition a parent of the child must give written notice to the board of education of the district wherein he resides on or before the fourth Monday in June. The school board may also pay for the transportation of such children to and from high schools.

**SUGGESTIONS.** — Pupils should attend an annual school meeting and observe the procedure.

A copy of the latest edition of the school laws should be in the school library for reference. It may be obtained without cost from the county commissioner or from the state superintendent of public instruction.

Require pupils to draw a map of the school district.

A debate might be carried on by the class as to the relative merits of the small district and the township district.

### QUESTIONS

1. May every one who votes at township, county and state elections vote legally at school elections?
2. Are there any who vote at school elections who may not vote at township, county and state elections?
3. How does the director or secretary give notice of school meetings?
4. Have you ever attended a school meeting? Are children permitted to attend?

5. How many persons usually attend in your district?
6. Why do not more attend?
7. What is the shortest time that school can be legally maintained during the year?
8. The treasurer of a school board must give bonds. What does that mean?
9. What is the number of your school district? Describe its boundaries.
10. What is a fractional district? How is it created?
11. How much money per child did the state pay your district last year?
12. What two meanings has the term "school district"?
13. Do members of the school board in your district receive pay? If so, how much? Should they be paid?
14. How does your school enrollment compare with the school census of your district?

## CHAPTER III

### TOWNSHIPS

The word "township" is sometimes used to indicate a tract of land and sometimes the people living upon a certain tract organized for civil and political purposes. When it has the former meaning it is usually a congressional township; when the latter meaning, it is a civil township.

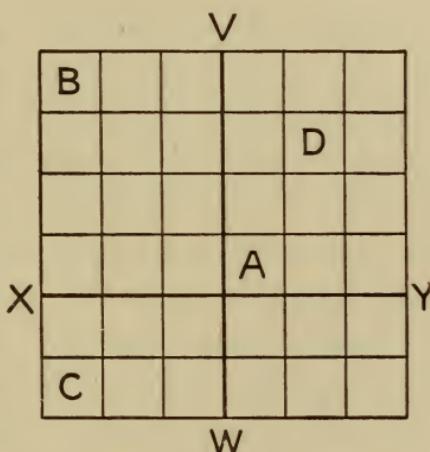
**Congressional Township.** — A congressional township is a tract of land about six miles square. It is called "congressional" because the Congress of the United States as far back as 1785 made a law that the land of the new states and territories should be surveyed into townships six miles square.

**The Survey.** — When surveyors were sent into the Territory of Michigan by the United States government to survey lands for the early settlers, they first laid out two main lines from which to reckon. One, called the base line, was run due east and west. It crosses the state between the second and third row of counties counting from the south. The other, called the principal meridian, runs due north and south. It crosses the base line on the boundary between Jackson and Ingham counties, running close to the city of Jackson.

Townships were then formed by running lines six miles apart parallel to the base line and to the principal

meridian. These congressional townships were not named by the surveyors but were numbered, counting from the base line and the principal meridian. Thus a township in the first row north of the base line is called "township one north"; in the second row, "township two north," and so on. One in the first row south of the base line is called "township one south," and so on. A township in the first row or range east of the principal meridian is read "range one east"; in the second row, "range two east," etc. One in the first row west of the principal meridian is read "range one west," and so on.

**Correction Lines.**—Lines running due north and south are not exactly parallel, as they are surveyed according to the compass and the needle of the compass points to the north magnetic pole of the earth. Hence north and south lines would gradually approach each other as they go farther north and would meet at the north magnetic pole. Starting at the base line, townships are made six miles wide, but farther north they would get narrower, or less than six miles from east to west. To prevent them from becoming too narrow, five correction lines are run across the state. The location of these may be seen upon a good map of Michigan. Starting on the north of each of them, the townships are each made six miles wide again.

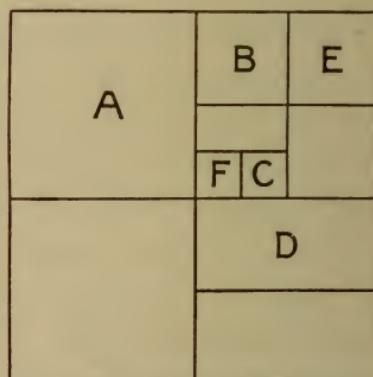


So it will easily be seen that townships are not exactly square, being a little narrower on the north side than on the south side. Neither do they contain exactly thirty-six square miles, but usually somewhat less. For the same reason, the sections into which townships are divided are sometimes not exactly a mile square and consist of less than 640 acres.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

at the northeast corner of the township:

Sections are surveyed into still smaller divisions so that the location of smaller pieces of land may be described exactly. Let us suppose that the following diagram represents section 10 of township 7 north, range 5 west.



A is described as the N. W.  $\frac{1}{4}$  of Sec. 10, T. 7 N., R. 5 W. 160 acres.

B is the N. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Sec. 10, T. 7 N., R. 5 W. 40 acres.

C is the S. E.  $\frac{1}{4}$  of the S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Sec. 10, T. 7 N., R. 5 W. 10 acres.

D is the N.  $\frac{1}{2}$  of the S. E.  $\frac{1}{4}$  of Sec. 10, T. 7 N., R. 5 W.  
80 acres.

What is E?

Describe F.

**The Civil Township.** — A civil township is the organization for purposes of government of the people living upon a certain tract of land. The people living upon a congressional township are usually formed into a civil township, but not always. When the population is sparse, the people upon two or more congressional townships are sometimes organized into one civil township. For instance, at present Oscoda county is composed of sixteen congressional townships, but all of the people are organized into four civil townships. The congressional township is designated by number, as has been seen, but a civil township is given a name.

**Organization.** — Civil townships are organized by the legislature or by the board of supervisors of a county. They are formed so that the people may do certain things for themselves, such as making roads, building bridges, buying and caring for a cemetery and other things. This is what is called carrying on local government. They are also subdivisions of the county and state for convenience in holding elections, collecting taxes and enforcing the laws.

**Township Meetings.** — The annual meeting of the township is held on the first Monday in April. The township officers are elected at this time and certain other business, such as voting to raise money by taxation for roads, bridges and cemeteries, is transacted. Special township meetings may be called by the township board, but they are seldom held.

In the history of New England the town meeting has played a very important part. At this gathering the voters not only elected officers for the ensuing year, but also freely discussed local affairs and public men and measures. In Michigan public speaking and discussion has nearly disappeared from these meetings. The occasion is still of great importance, however, for purposes of election.

**Officers.** — The officers of a township are the supervisor, clerk, treasurer, commissioner of highways, justices of the peace, constables, overseers of highways and poundmasters. They are elected for a term of one year, except the justices of the peace whose terms are four years.

**Supervisor.** — The chief executive officer of the township is the supervisor. He fixes the valuation of property in the township for purposes of taxation and makes out what is called the tax roll, apportioning the taxes to be raised among the property owners. He gives help to poor people when they need public aid. He collects certain statistics concerning stock, crops, births, the insane, deaf, dumb and blind. He is a representative of his township on the county board of supervisors, and in this way he becomes an important county officer. He is also a member of the township board, the board of review, the board of health, the board of registration and the board of election inspectors.

**Clerk.** — The clerk keeps a record of the proceedings of township meetings and all other records, books and papers of the township. Chattel mortgages are filed with him. He is a member of the township board,

board of health, board of registration and board of election inspectors.

**Treasurer.** — The treasurer collects the school, township, county and state taxes in his township. He pays over to the treasurers of the school districts of his township the school taxes, and to the county treasurer the county and state taxes. He keeps and pays out as needed the township funds which have been collected. He must keep accounts of all these transactions and make an annual report to the township board. He is a member of the board of registration.

**Justices of the Peace.** — Not to exceed four justices of the peace are elected in each township, usually one being chosen at each town meeting. The number depends upon the population of the township. They are judicial officers, holding court and trying the smaller civil and criminal cases. They also examine persons accused of the greater crimes and may hold them for trial in the circuit court or may release them. They may also perform the marriage ceremony.

**Constables.** — Each township may have not more than four constables. The number is determined by the population. It is their duty to maintain peace and good order and to arrest persons who are causing a disturbance or breaking the laws. They serve warrants, subpoenas and other writs, notices and papers issued by a justice of the peace, and act as executive officers of his court. They may perform their duties in any part of the county.

**Commissioner and Overseers of Highways.** — (The duties of these officers will be given in the chapter on Roads.)

**Poundmasters.** — As many poundmasters are elected viva voce as the annual meeting may direct. Any stray animal or any animal running at large, contrary to law, may be kept by a poundmaster until claimed. Certain fees and the cost of keeping must be paid by the owner. Not all townships elect poundmasters.

**Compensation.** — Township officers are paid for their services by certain fees or at a certain rate per day when actually engaged in public business.

**Boards.** — Besides these officers there are certain boards that perform important duties for the township.

**The Township Board.** — This is composed of the supervisor, the township clerk and the two justices of the peace whose offices soonest expire. If the annual township meeting fails to vote money for carrying on the work of the township, this board may vote a tax for such purpose, but not to exceed one thousand dollars. This board may give a company the right to build an electric road along the highways. It meets every year on the Tuesday before the first Monday in April and settles all claims against the township. The treasurer and all other officers who handle township funds for any purpose must make settlements with the board. It may pass certain township laws, or ordinances, and it has various other powers and duties.

**Board of Review.** — This board is composed of the supervisor and two men elected as members at the annual township meeting, one being elected each year for a term of two years. It exists for the purpose of reviewing and correcting the assessments of property

for taxation as made by the supervisor. If any property has been omitted from the tax roll by the supervisor, it may be added by the board. It may also make corrections of names, change the valuation of property or do anything else that will make the assessment roll correct in every particular.

On the fourth Monday of May and the day following, the board meets to hear the complaints of persons who think that their assessments are too high.

**Board of Health.** — The township board acts at times as a board of health. As such it may order nuisances to be done away with, inquire into causes of sickness, regulate cemeteries and the burial of the dead, take measures for preventing the spread of contagious diseases and do such other things as shall preserve the health of the people of the township. It is the duty of the board to employ a physician who shall act as health officer of the township and who shall give advice to the board and carry out its orders. In case a physician cannot be obtained, another person may be appointed.

**Board of Registration.** — The supervisor, clerk and treasurer constitute the board of registration. This board is in session on the Saturday before an election, for the purpose of making a list of the qualified voters in the township who wish to vote.

**Board of Inspectors of Election.** — Elections are in charge of a board composed of the supervisor, clerk and the justice of the peace whose term of office soonest expires. (For the method of carrying on an election see Chapter VI).

SUGGESTIONS.—Pupils should find out when their township was organized, how it received its name and its early history.

It would be of interest to consult surveyors and find out how lands are surveyed, section lines marked, etc.

Pupils living in the country should look up the descriptions of the farms on which they live. This information can be found in deeds and in tax receipts.

The origin of the township and its place in New England history are good topics for study. See Fiske's "Civil Government."

#### QUESTIONS

1. How many square miles in a congressional township? How many acres?
2. How is the location of land described in one of the older states like Massachusetts?
3. What is an "inside forty"?
4. What is a "long forty"?
5. Where are the roads usually located?
6. If a man built a house on the S. W.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of a section, in what direction would his house probably face?
7. How are township and section lines marked on the ground?
8. Why does a deed usually call for so many acres "more or less"?

## CHAPTER IV

### VILLAGES AND CITIES

When a considerable number of people live near each other there arises the need for such things as fire protection, sidewalks, a general water supply, police protection, street lighting, sewers and other things that are conducive to the health and comfort of the people. To meet these needs, villages and cities are organized with special forms and powers of government. When only a few hundred people live near together a village is formed; while a city government is better fitted for a large and dense population.

Under a general law passed by the legislature, villages and cities may be incorporated and the people may adopt and amend their own charters. With certain restrictions imposed by the law they may arrange the details of their governments largely to suit themselves. Thus the pupil must expect to find considerable diversity of government among the villages and cities of the state.

**Village Officers.** — The usual village officers are president, clerk, assessor, treasurer, marshal, street commissioner, constable and six trustees. They are usually elected in March. The president is the chief executive officer and presides over the meetings of the council, but votes only in case of a tie. He is a peace officer with power to maintain peace and order

in the village. The clerk keeps the books, records and papers of the village and is the clerk of the council. The assessor, as his name indicates, assesses the village taxes upon all property. The treasurer collects the taxes and keeps the financial accounts of the village. These officers are elected for a term of one year. The president appoints a marshal, who is the principal police officer of the village, and a street commissioner, who has charge of the building and repairing of sidewalks, streets and bridges. The constable has duties similar to those of township constables.

Three trustees are usually elected each year for a term of two years. They, with the president and clerk, constitute the village council. This body passes laws and regulations called ordinances. They may cover a variety of subjects such as public health, gambling, speed of vehicles, saloons, fire protection, sidewalks, cemeteries, parks, public entertainments, peddlers, building restrictions, etc.

**Wards.** — Cities are divided into wards for convenience in carrying on elections and executing the laws and ordinances. The number depends upon the population of the city. In each ward there is usually elected annually a supervisor, constable and alderman. Each ward has two aldermen, one being elected each year for a term of two years.

**City Officers.** — A mayor, clerk, treasurer and two justices of the peace are the officers usually elected by the whole city. The justices of the peace are chosen for a term of four years, the others for one year. Elections are usually held on the first Monday in April. The mayor is the chief executive officer and presides

at the meetings of the council. The duties of the others are indicated by their names. The mayor appoints a marshal, or chief of police; a street commissioner; a chief of the fire department; and a city attorney, who gives advice upon all legal matters to the city officers and to the council, draws up ordinances for the latter when requested to do so and acts as the city's lawyer in all cases in which the city is a party. Other officers are elected or appointed in some cities.

**City Council.** — The legislative body of a city is called the council or the common council. It is made up of the mayor, clerk, and aldermen from the several wards. The clerk keeps a record of the proceedings but has no vote. The mayor has no vote except in case of a tie. The powers and duties of this body are similar to those of the village council.

**Board of Public Works.** — In many cities a board of five members is appointed by the mayor to have charge of the construction and management of the water works, public lighting, sewers and other public works. It is subject to the direction of the council and its acts must be ratified by that body.

The largest cities of the state have a somewhat more elaborate system of government than that described here.

**Commission Government.** — A new form of city government is being adopted somewhat extensively in the United States and is already in operation in several cities of Michigan. This commission form of government, as it is called, aims to secure a more business-like administration of city affairs by reducing the number of officials, by securing more expert men for

the various positions, by paying them sufficient salaries so that they may give their entire time to the work and by holding them responsible for efficient service. Under this form of government the council is composed of a mayor, clerk and three or five commissioners, the latter of whom are chosen from the whole city instead of by wards, and each of whom is the executive head of some department of the city's business, such as streets and parks, fire and police protection, water and sewers, finances, etc.

The commission form of government will doubtless become more prevalent in the future, as under the old form our cities are frequently not governed with economy and efficiency and the opinion is growing that a city is largely a business corporation and that its affairs should be carried on according to business principles rather than along political lines.

**SUGGESTIONS.** — Pupils living in a village or a city should make a special study of their own local government, finding out its peculiar problems and determining whether its affairs are efficiently and economically administered.

The class could profitably investigate the commission form of government and discuss its merits. Many magazine articles on the subject can be found.

Members of the class might attend a meeting of the village or city council.

Pupils may be assigned different departments of the city government for investigation and report on their findings.

#### QUESTIONS

1. What is the smallest number of people that may be incorporated into a village in Michigan? Into a city?

2. Are there any limits to the areas that they may occupy?
3. How did your village or city get its name?
4. What determined the location of your village or city?
5. What have been the causes of growth of your village or city?
6. Are the sidewalks of your village or city built by the owners of adjacent property or by the village or city? Why? Who pays for them?
7. Are the waterworks, sewers, electric lighting system and gas plant of your village or city owned and managed by the village or city or by private firms and corporations? Would it be better to have them all managed by public authority? Why?
8. If you should be injured because of a defective public sidewalk, could you obtain damages? Of whom? How would you proceed to collect them?

## CHAPTER V

### COUNTIES

**Organization.** — The whole state has been divided by the legislature into eighty-three counties for purposes of carrying on local government and for convenience in executing the laws of the state.

The oldest county in the state is Wayne, which was formed in 1796. It was then of great size, comprising a large part of what is now Michigan and parts of Ohio and Indiana. The next oldest county is Monroe, which was organized in 1817. It was given its name because President Monroe was coming that year to visit the Territory of Michigan. The youngest county is Dickinson, which was organized in 1891 and named after Mr. Don M. Dickinson, a resident of Detroit and a prominent citizen of the state.

Counties in Michigan vary somewhat in size and shape, but most of them are approximately twenty-four miles square, being composed of sixteen congressional townships. No county can be reduced to a size smaller than that except by a majority vote of the voters residing in it.

Each county erects its own court house, in which the circuit and probate courts hold their sessions. In this building the county officers have their offices, and all important records, books, papers, etc., are stored

there for safe keeping. A county jail and a residence for the sheriff are also erected in each county.

The place where the court house and the jail are located is called the county seat. The county seat can be changed by a two-thirds vote of all the members of the board of supervisors and by a majority vote of the electors voting on the question.

**County Officers.** — At the general election held on the first Tuesday after the first Monday in November of the even years, the people elect a sheriff, clerk, treasurer, register of deeds, prosecuting attorney, surveyor, drain commissioner, two coroners, and one or two circuit court commissioners for a term of two years, and a judge of probate for a term of four years. The school commissioner is elected at the spring election for a term of four years. The board of supervisors chooses two school examiners for a term of two years and three superintendents of the poor for three years. These officials enter upon their duties on the first day of January following their election, except the commissioner of schools, who takes office July 1. These officials may, for good and sufficient reason, be removed from office by the governor.

**Sheriff.** — Hundreds of years ago there was an officer in England called the shire-reeve. He was the most important officer in a shire or county. From his title our word *sheriff* is derived.

It is the duty of the sheriff to preserve peace and to keep order in the county. He has charge of the county jail and guards and cares for the prisoners confined in it. He attends the sessions of the circuit court, keeps order in the court room, and serves subpoenas, war-

rants and other writs and orders of the court. He may also serve writs issued by a justice of the peace.

But the sheriff's work is not confined entirely to the duties just named. He has many important civil duties to perform, such as serving notices of elections, selling property on mortgage foreclosures, etc.

He can hold office only four years out of six. He appoints an under-sheriff and deputies who assist him in the performance of his duties. A sheriff or his deputy may call upon other persons to assist in arresting a person or persons and in maintaining order.

**Clerk.** — The clerk keeps a record of births, marriages and deaths in the county, and issues marriage licenses and hunting licenses. He is clerk of the circuit court; he keeps a record of its proceedings, administers oaths to jurors and witnesses, fills out papers and writs for the court and keeps its seal and draws the names of jurors. He is also clerk of the board of supervisors.

**Treasurer.** — The treasurer receives from the township and city treasurers the county and state funds that have been raised by taxation. He sends the latter to the state treasurer and keeps the county funds, paying them out as needed for county expenses. In counties where liquors are allowed to be sold he issues saloon licenses. He sells every year lands upon which the taxes have not been paid. He can hold office but four years out of six.

**Register of Deeds.** — In order to preserve an accurate record of the ownership of lands and thus prevent disputes, mistakes and fraud, an officer called a register of deeds is elected, in whose office are recorded

all papers showing real estate transactions, such as deeds, mortgages, land contracts and village plats. It is very important that every such document be promptly recorded and the record carefully preserved.

**Prosecuting Attorney.** — The prosecuting attorney is the county's lawyer. County officers may get legal advice from him as to the performance of their duties. He acts for the county in any suit in which it may be involved. He acts also as a lawyer for the state in prosecuting and attempting to bring to punishment those within his county who have committed crimes and have violated the state laws.

**Surveyor.** — The county surveyor or a person appointed by him surveys lands, roads, ditches, fences, etc., as required by a court or by any resident of the county. He keeps a permanent record of all such surveys and turns it over to his successor.

**Coroners.** — The principal work of the coroners is to inquire into the causes of sudden, violent or suspicious deaths. In such cases, a coroner summons a jury of six men to hear witnesses, make investigation and render a verdict as to the cause of such death. This is done for the purpose of finding out whether a crime has been committed.

A justice of the peace may hold an inquest the same as a coroner upon the request of five citizens.

**Circuit Court Commissioners.** — These officers, who must be lawyers, are assistants to the circuit judge. They have power to act in place of the judge out of court, in taking testimony and in taking and discharging bail in certain cases. In a few cases they may hold a court similar to a justice's court. Two

commissioners are elected in counties having a population of 20,000.

**Judge of Probate.** — The judge of probate protects the rights and interests of certain classes of helpless people. Children who are orphans or whose parents cannot properly care for them may be placed in homes or sent to the State School at Coldwater by the judge of probate. Boys and girls under the age of seventeen who have fallen into vice or crime, who are truants from school or who cannot be managed by parents and teachers may be brought into the probate court and disposed of as the judge may think best. He may appoint guardians for persons under age. He may also commit insane people to asylums.

In this court the estates of persons who have died are settled and their property divided. If a will has been left, it is "probated," i.e. it is filed in the probate court, proved to be genuine, and its provisions carried out under the direction and supervision of the judge of probate. Executors and administrators are appointed by him to settle estates of deceased persons.

**Drain Commissioner.** — The name of this officer indicates his duties. He may lay out, widen, deepen or straighten, ditches and water courses where needed for the improvement of land or for the health of the community.

**Superintendents of the Poor.** — These officers have general charge of those persons who because of poverty are permanently unable to care for themselves and are dependent upon public aid. They usually remove such poor people to the county poor house or poor

farm, over which the superintendents have control and for which they appoint a keeper. A supervisor may grant aid from township funds to persons in his township who are in temporary need.

**School Commissioner and Examiners.** — The commissioner is the principal school officer of the county. He visits the schools and advises with teachers and school officers in regard to the best methods of school management. He is the local manager of teachers' institutes. He has many other important powers and duties in relation to teachers and schools. Together with the two examiners he constitutes the county board of examiners. This board conducts teachers' examinations and eighth-grade examinations, looks over examination papers and grants certificates.

**Board of Supervisors.** — This important county board is composed of the supervisors from the several townships and at least one from each city. Sometimes each ward of a city elects a supervisor. The representation upon the board differs in different cities. The board has both legislative and administrative powers and duties. It holds two regular meetings at the county seat every year in October and January. It frequently holds special meetings.

It may buy land for county purposes, erect buildings, borrow money, levy taxes, equalize the assessments among the townships and cities, fix the compensation of many of the county officers, elect certain officers, organize or divide townships, audit claims and accounts and pass regulations and ordinances for purely county affairs if not in conflict with state laws. These county laws, in order to be valid, must be signed

by the governor or passed by a two-thirds vote of the board over his veto.

The board chooses one of its members to act as chairman. The county clerk is clerk of the board. Its business is done largely by standing committees made up of its members.

**Board of Election Commissioners.** — The judge of probate, the county clerk and the county treasurer constitute a board for the purpose of providing the official ballots for elections held in the county.

**Board of County Canvassers.** — The board of supervisors chooses three men for a term of two years, who, with the county clerk, constitute a board whose duty it is to determine who have been elected to office at each general election.

**County Road Commissioners.** — In a county having the county road system a board of not more than five commissioners is elected at the April election for a term of six years. They construct and maintain any roads of the county that they may take over as county roads.

**Compensation.** — Certain county officers receive yearly salaries, some receive so much per day when engaged in the work of their offices, while others are paid fees for their services.

**The Local Option Liquor Law.** — The manufacture and sale of intoxicating liquors may be allowed or prohibited in any county by the voters. Upon petitions signed by at least one-third of the voters of the county the board of supervisors shall submit the question to a vote of the people. About one-half the counties of the state have voted against licenses.

**Liquor Licenses.** — In counties where liquors are allowed to be sold, a person must obtain a license before he can engage in the liquor business. A license for selling liquors at retail costs \$500. Of this amount, after one per cent is deducted by the county treasurer as a fee, one-half goes to the county treasury and the other half to the township, village or city where the saloon is situated. A license is good for one year from May 1. A tax must also be paid and a license obtained for the privilege of manufacturing intoxicating liquors. In the upper peninsula the whole amount of the tax, less the one per cent fee, goes to the township, village or city.

**SUGGESTIONS.** — Make a study of the history of your county, learning when it was organized, and the origin of its name.

Look up the history of the office of sheriff in England.

Blank forms of deeds, mortgages and other documents may be purchased at newspaper offices, stationery stores and other places. Use these for illustrations in class.

### QUESTIONS

1. What is the origin of the word "county"?
2. Give the origin of the names of as many counties in Michigan as you can.
3. What is the origin of the word "coroner"?
4. Who would arrest the sheriff in case he committed a crime?
5. What persons are confined in the county jail?
6. Do they work while there or live in idleness?
7. What is a deed?
8. What is a mortgage?

9. Why should these documents be recorded?
10. How may a child be legally adopted into a family?
11. What is a sheriff's sale?
12. What is an abstract?
13. What are the legal qualifications of a school commissioner? Of an examiner?

## CHAPTER VI

### ELECTIONS

**Voters.** — The state constitution tells who may vote in Michigan. In all but school elections any man may vote who is twenty-one years of age, who is a citizen of the United States and who has resided in the state for six months and in the township or voting precinct of a city for twenty days just preceding the election.

An amendment to the state constitution allowing women to vote at all elections was defeated by a small majority at the fall election in 1912. (For qualifications of voters at school elections see Chapter II.)

**Registration.** — To prevent fraud and illegal voting it is required that qualified voters must be registered before they may vote. The board of registration in a village is composed of two trustees and the village clerk; in a city, of the two aldermen in each ward; in a township, of the supervisor, clerk and treasurer. These boards meet usually on the Saturday preceding an election and make a list of all qualified voters who present themselves for registration. In case a person not properly qualified gets his name recorded he may be looked up before election and prevented from voting. When once a person is registered he is not required to register again for several years unless he

removes from the voting precinct. No person can vote on election day whose name is not on the registration list unless he takes an oath that he was unable to register on account of sickness or necessary absence.

**Election Commissioners.** — Official ballots for elections of county, state and national officers are prepared by the county board of election commissioners, which is made up of the judge of probate, county clerk and county treasurer. The township board performs this duty for township elections. In cities and villages the council chooses commissioners to prepare ballots for city and village elections.

**Inspectors of Election.** — In townships, the board of election inspectors is composed of the supervisor, clerk and two justices of the peace whose terms of office soonest expire; in villages, the president, clerk, and one trustee, or three trustees; in cities, the supervisor and two aldermen in each ward. These boards have charge of the election. An additional man is chosen to act as one of the clerks.

**How an Election is Conducted.** — A railing is erected across the room in which the voting takes place with a gate at each end for the entrance and exit of voters. A gate-keeper is in charge of each gate. No one is allowed inside this railing except the inspectors and clerks of election, challengers and persons engaged in voting. Each political party may have not more than two challengers present, who have the right to challenge or object to any voter who, they think, is not qualified to vote.

Booths are erected inside the railing into which the

voters go to prepare their ballots. But one voter is allowed in a booth at one time, in order that the voter may mark his ballot in secret.

The polls are open from seven o'clock in the morning until five in the afternoon. In large cities, the hours are sometimes different.

The election officers sit at a table inside the railing with the ballot boxes before them. The voter enters and is given one of the official ballots by a member of the board, and his name is recorded by the clerks. He goes into a booth and marks and folds the ballot so that no one can see how he votes. He takes the ballot to the board and, if he is duly qualified to vote, his ballot is deposited in the ballot box by one of the board. He then goes outside the railing. No ballots may be taken outside the railing.

The names of all candidates are printed upon each ballot in columns according to their party. Nobody is permitted to have ballots printed except the official commissioners.

A voter may have assistance in marking his ballot if he is physically unable to do so or if he cannot read the English language.

Separate ballots and ballot boxes are used whenever such questions as local option, a constitutional amendment, issuing bonds for any purpose, or adopting a county road system are to be voted on.

**Counting the Votes.**—As soon as the polls are closed, the election inspectors proceed to count the votes and record and publicly announce the result. The candidates for local offices who have received the greatest number of votes are declared elected.

## INSTRUCTION BALLOT

INSTRUCTIONS.—In all cases stamp a cross (X) in the circle under the name of your party at the head of the ballot. If you desire to vote a straight ticket, nothing further need be done. Where only one candidate is to be elected to any office, and you desire to vote for a candidate not on your party ticket, make a cross in the square before the name of the candidate for whom you desire to vote on the other ticket. Where two or more candidates are to be elected to the same office, and you desire to vote for candidates on different tickets for such office, make a cross in the square before the names of the candidates for whom you desire to vote on the other ticket; also erase an equal number of names of candidates on your party ticket for the same office for whom you do not desire to vote. If you wish to vote for a candidate not on any ticket, write or place the name of such candidate on your ticket opposite the name of the office. Before leaving the booth, fold the ballot so that the initials of the inspector may be seen on the outside.

NAME OF OFFICE VOTED FOR	[Vignette.] DEMOCRATIC <input type="radio"/>	[Vignette.] REPUBLICAN <input type="radio"/>	[Vignette.] PROGRESSIVE <input type="radio"/>
Mayor .....	<input type="checkbox"/> THOMAS JEFFERSON	<input type="checkbox"/> JOHN C. FREMONT	<input type="checkbox"/> JOHN WILLIAMS
Pres. of Common Council	<input type="checkbox"/> ANDREW JACKSON	<input type="checkbox"/> HANNIBAL HAMLIN	<input type="checkbox"/> ROBERT GARDNER
Supervisor—First Ward	<input type="checkbox"/> SAMUEL J. TILDEN	<input type="checkbox"/> ALEXANDER HAMILTON	<input type="checkbox"/> J. P. S. GARLAND
Alderman—First Ward	<input type="checkbox"/> MARTIN VAN BUREN	<input type="checkbox"/> SCHUYLER COLFAX	<input type="checkbox"/> JOHN B. OSBORNE
Constable—First Ward	<input type="checkbox"/> TIMOTHY DOE	<input type="checkbox"/> RICHARD ROE	<input type="checkbox"/> DANIEL KEILEY

When county officials are elected, the board of election inspectors sends the results of the election in each voting district to the board of county canvassers, which is made up of three men chosen by the board of supervisors. This board determines what officers have been elected.

In districts such as congressional, legislative and judicial, comprising two or more counties, the board of canvassers is composed of the county clerks of the counties composing the district, and the sheriff and probate judge of the county where the board meets. The board holds its meetings in the office of the clerk of the county having the largest population in the district.

When state officials are elected, the returns from each county are sent to the state board of canvassers, composed of the secretary of state, treasurer and land commissioner, who determine who has been elected. This board also determines what presidential electors have been chosen.

**Voting Machines.**—Voting machines may be adopted by the proper authorities for use at elections in Michigan. So far they have been used in only a few places. They are very ingenious devices, not only recording each vote cast but adding the votes at the same time, so that at the close of the voting the officials may read the result from the machine immediately. No ballots are used with them. They will probably be used more generally in the course of time. Their adoption has been hindered because of their cost and because many voters object to using them, thinking that they are difficult of manipulation.

**The Nomination of Officers.** — The nomination of officials is almost as important as their election. For a long time the manner in which they were placed in nomination was left entirely to individuals, groups of individuals and political parties. There thus grew up a system of caucuses and conventions for this purpose.

Under this system a caucus is held by each political party in each township and ward. Any voter of the party holding the caucus who lives in the township or ward may attend and vote, but usually only a few are present. At this meeting township or ward officials are nominated for the election which is soon to take place. City officials, except in cities of over 70,000 inhabitants, are usually nominated at a city convention composed of delegates chosen in the ward caucuses.

County officials were formerly nominated by each political party at a county convention which was held sometime before the election. This convention was composed of delegates chosen at caucuses held in each township and ward in the county.

In congressional, legislative and judicial districts composed of two or more counties, conventions were held for the nomination of district officials. These conventions were made up of delegates chosen at county conventions held in each county making up the district.

Some state officials are still nominated by each party at a state convention composed of delegates chosen at county conventions held in each county of the state.

Under this system many abuses grew up. Generally the voters took little interest in the caucuses and only a few attended them. In this way it became easy for

the politicians and those personally interested to control the caucus and nominate such officials and choose such delegates to the county conventions as they wished. Conventions can easily be managed and manipulated by a few skillful and experienced politicians so as to get officials nominated and delegates chosen to serve their interests. Through this system, unfit men were too often nominated and elected to office and selfish interests were furthered to the injury of the people.

So many people having become dissatisfied with the caucus-convention system of nominating officials, an agitation was started a few years ago which has resulted in the legislature passing laws governing to a large extent the methods of nominating candidates. A large number of officials are now nominated in Michigan by what is called the direct primary system.

Under this system, the voters of each party choose men to be candidates for various offices at a primary election, which is conducted as nearly as possible like a regular election. In this way it is easier for an ordinary voter to have a voice in selecting candidates for office.

Candidates wishing to have their names put on the ballot for nomination must present a petition signed by a certain per cent of the voters of their party. Separate official ballots for each party are used at the primaries. The candidate receiving the highest vote at the primary election becomes the candidate of his party at the regular election following. The boards that have charge of election matters also conduct the primaries and canvass the votes.

The following officials are now nominated by this

method: governor, lieutenant governor, United States senators, congressmen, circuit judges, members of the state legislature, officials in cities of over 70,000 population and county officials. Officials in cities of a population of less than 70,000 may be nominated by the primary method if the voters vote in favor of it. Delegates to county conventions, which are to choose delegates to a state convention for the nomination of state officials, are also chosen at the August primary.

Before a person may vote at a primary election he must be enrolled in some political party, and he may vote only for candidates of the party in which he is enrolled. Two enrollment days each year are provided for,—the last Saturday in January and the first Monday in April. A qualified elector may be enrolled, also, by handing a written request to that effect to the township clerk or other official having charge of the enrollment book, accompanied by an affidavit setting forth certain information, at least two months before a primary election. A voter who was prevented from enrolling because of sickness or unavoidable absence may vote at a primary election under oath.

The boards of election inspectors are the enrolling boards.

The regular primary elections for all parties are held on the last Tuesday in August preceding a general election in November, and on the first Wednesday in March prior to the spring election.

On the first Monday in April preceding a presidential election, a presidential preference primary is to be held

in order that the voters of each party may express their choice of a candidate for president.

**Party Machinery.** — Each political party chooses certain committees to manage its affairs. Thus there is a state central committee, consisting usually of a chairman, secretary, treasurer and two members from each of the thirteen congressional districts of the state. This committee chooses the time and place for holding state conventions and apportions the number of delegates among the various counties according to the number of votes cast for that party at the last election. Each party likewise has a county committee to call the county conventions and apportion the delegates among the townships and wards. There are also district, township, city and ward committees.

The members of these various committees are chosen in the appropriate conventions or caucuses. They help to carry on a political campaign by distributing literature, securing speakers, arranging meetings, raising money, etc.

**SUGGESTIONS.** — Instruction ballots may be obtained from election officials. They are of value in teaching this subject.

If possible, the pupils should visit a voting place on election day and watch the process of voting.

A debate on woman suffrage might be encouraged.

In some schools a mock election might be held on the day of the real election.

The former methods of nominating officials and conducting elections would make a good subject for investigation. The "boss" and the "machine" in politics would also be good topics for discussion.

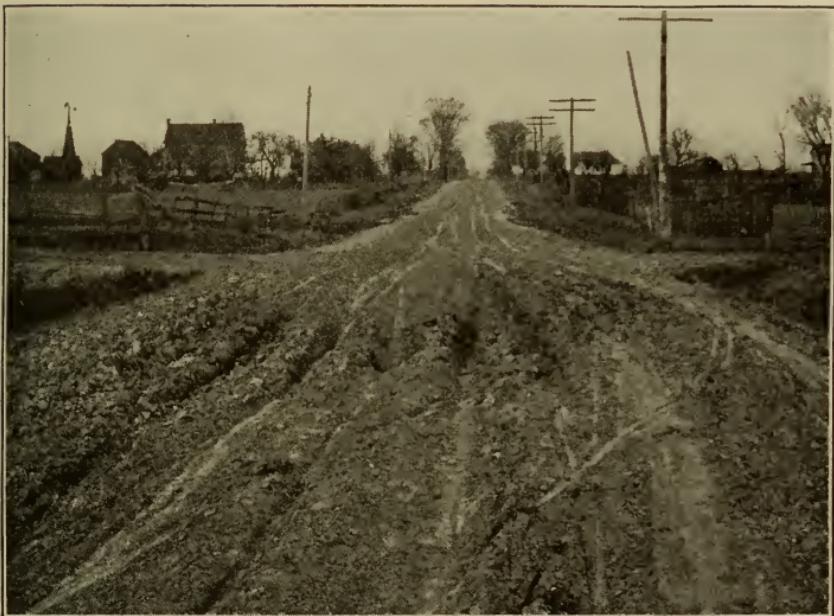
The duty of taking part in carrying on government and the importance of clean politics should be emphasized.

### QUESTIONS

1. Is voting a right or a privilege?
2. In how many states may women vote at all elections?
3. May a student attending college, if a legally qualified voter, vote in the college town? (See the constitution of Michigan.)
4. How is the order of arrangement of party columns on the ballot determined?
5. Is there any way of finding out how a person votes?
6. Can fraudulent voting be carried on under the present system?
7. What are the advantages of the present system of voting over former methods?
8. What is a "straight" ticket?
9. What is the difference between a majority and a plurality?
10. Must a candidate receive a majority or a plurality in order to be elected?
11. How do we usually find out who is elected before the canvassing boards meet?

## CHAPTER VII

### ROADS



A COUNTRY ROAD BEFORE IMPROVEMENT

The construction and repair of roads is left largely to local authorities, although the state aids by appropriating money to assist in the building of good roads. There has been much discussion for several years past in regard to building better roads, and as a result the highways of the state are being rapidly improved.

In cities and villages the streets are cared for by the street commissioner, the cost being defrayed by local taxation.

**Highway Commissioner.**—Most country roads are still under the supervision of the townships. A highway commissioner is elected at the spring election. It is his business to direct the work of constructing new roads and bridges and to see that old ones are kept in good condition. It is his duty, also, to have noxious weeds along the highways cut twice each year. He is



THE SAME ROAD AFTER IMPROVEMENT

the fence viewer for his township; that is, in case of a dispute between two owners of land as to the proper location or condition of a line fence, he may settle the matter.

**Overseers of Highways.**—Each township may constitute one road district, or the commissioner together with the township board may divide the township into two or more road districts. For each district an overseer is elected annually at the spring election.

It is his duty to report to the commissioner any defects in the roads of his district and, under the direction of the commissioner, to take charge of the construction and repairs of roads and bridges in his district. He may make emergency repairs not exceeding ten dollars in cost without consulting the commissioner.

**Highway Taxes.** — The expense of building and repairing township roads and bridges is defrayed by township taxes.

**County Road System.** — The board of supervisors may, upon petition, submit to the voters of the county the question of adopting the county system of caring for roads. In case the system is adopted by the voters, a board of county road commissioners, not to exceed five in number, is elected by the people of the county. This board may take over such roads as it wishes and may maintain them as county roads. It may also construct new roads. The expense of maintaining county roads is defrayed by a county tax. All roads not taken over as county roads by the board remain under the care of the township officers.

**State Aid for Highways.** — To encourage the building of better roads the state legislature appropriates money to aid in the construction of certain kinds of highways. A state highway department has been created with a commissioner at its head. It is the business of this department to give instruction in the building, improving and repairing of roads and bridges and to distribute the state reward funds for the building of improved roads. This department gives a certain amount per mile to townships and

counties for different kinds of roads built according to the specifications of the department.

SUGGESTIONS.—The economy of good roads and the cost, construction and relative merits of different kinds of roads may well be investigated and discussed by the class. The advantages and disadvantages of the township and county systems of caring for highways may be debated. Valuable information may be obtained from the state highway commissioner.

### QUESTIONS

1. In what condition are the roads in your vicinity?
2. Has any improvement recently been made in them?
3. Who should be most interested in having good roads?
4. What are so-called "state" roads? Are there any near where you live?
5. What are "state reward" roads?
6. What are noxious weeds?
7. Is the owner of a farm required to maintain fences along the highway?
8. How wide is a highway in the country?
9. How many acres in a mile of highway? Is so much land needed for the purpose?
10. What is "the law of the road"?
11. How many road districts in your township?
12. By what process may interested persons get a new road opened?

## CHAPTER VIII

### TAXATION

**Assessment.** — The money required to carry on the operations of the various branches of the government is raised by taxation. The supervisors in the townships and in the wards of cities having such officers estimate the value of each person's property for purposes of taxation. In villages this work is done by assessors when money is to be raised by tax for village purposes. In some cities assessors perform this duty instead of the supervisors. This assessment is made by the supervisors in April and May of each year. They are supposed to estimate and place upon their rolls the cash value of every piece of property subject to taxation, both real estate and personal property, together with the owner's name.

**Review.** — The supervisor and two other men elected for the purpose constitute the board of review in the township. They examine the assessment roll that has been made out by the supervisor and change and correct it if they deem it necessary. If a person thinks that he has been dealt with unfairly in the assessment of his property, he may appear before this board and ask for a correction.

**Equalization.** — The board of supervisors examines the rolls of the several supervisors and determines whether the real estate of the various townships and

wards has been assessed at the same relative value. If the assessments are not considered uniform, the board may add to, or take from, the total valuation of any township or ward until relative equality is established.

No change is made in the valuation of personal property. Neither is any change made in any individual's real estate valuation. Merely the valuation of the entire township or ward is equalized for the purpose of apportioning the county and state taxes.

The state board of equalization consists of the lieutenant governor, the auditor general, the secretary of state, the state treasurer and the commissioner of the state land office. Once in five years this board equalizes the valuations of real estate among the several counties of the state in the same way that the board of supervisors does among the townships and wards. Each board of supervisors usually sends a representative to appear before the state board when it meets.

**Exemptions.** — Certain property is exempt from taxation, such as that of the United States, the state, county, township, village, city, school district, and property belonging to charitable, benevolent, educational, scientific and religious societies, together with the property of poor persons who are unable to pay taxes. Certain kinds and amounts of personal property are also exempt from taxation.

**Apportionment.** — The state legislature determines how much money is to be raised for state purposes and the auditor general divides or apportions it among the several counties according to the valuation of each.

The board of supervisors determines the amount to be raised for county purposes and apportions this and the county's share of the state tax among the townships of the county according to the valuation of each. The township meeting and the township board determine the amount to be raised for township purposes and the supervisor apportions this, together with the township's share of the county and state taxes, among the taxpayers of the township. The amount to be raised for school purposes in each district is determined by the annual school meeting and the school board. The supervisor apportions this amount among the taxpayers of the respective districts.

**Dog Tax.** — A special tax is levied upon dogs, — one dollar for a male dog and three dollars for a female dog. The supervisors assess this tax in the country. In cities a dog warden is sometimes appointed for this purpose. The money raised by this tax is used to pay for sheep killed or injured by dogs. If more than enough for this purpose is raised, one hundred dollars is kept for a reserve fund and any surplus above that amount is divided among the school districts according to the number of children of school age in each.

**Collection.** — The township treasurer collects the school, township, county and state taxes. He keeps the township taxes and turns over to the treasurers of the several school districts of his township the school taxes for their respective districts, and to the county treasurer the county and state taxes. The county treasurer turns over the state taxes to the state. Village taxes are collected by the village treasurer. The city treasurer or collector collects the city, school,

county and state taxes from property holders in his city.

Taxes are usually collected during the months of December and January. On taxes paid by January tenth one per cent is charged for collection; after that date four per cent is charged. Village and city taxes are sometimes collected at other times. The city treasurer or collector is frequently paid a salary instead of being given the one per cent or four per cent for collection. All taxes are supposed to be paid before March first. If a person neglects or refuses to pay his taxes, they become delinquent and enough of his property may be sold to pay them.

**Board of Tax Commissioners.** — The three members of this board are appointed by the governor. They assess for purposes of taxation the property of the railroads, telegraph and telephone companies, express and Pullman car companies and other companies engaged in the transportation business. Such corporations do not pay local taxes in Michigan but pay their taxes directly to the state treasury. Most of the money from this source goes into the primary school interest fund.

This board also exercises a general supervision over the assessment of property throughout the state and sees to it that all property liable for taxes is placed upon the tax rolls at its true value. The board or some member of the board is expected to visit each county once every year to receive complaints in regard to taxation, to confer with the assessing officers and to see that the laws in regard to taxation are complied with.

SUGGESTIONS.—Old tax receipts should be brought before the class for examination. The relative amounts of the different kinds of taxes should be noted.

Get a supervisor or assessor to come before the class with his tax roll and explain how taxes are levied and collected.

Discuss the reasons for exempting certain kinds of property from taxation.

Discuss the difficulty of levying taxes fairly and equitably, and the merits and defects of various methods of taxation.

Bring out the dishonesty and lack of patriotism of tax dodging.

### QUESTIONS

1. What is the difference between real estate and personal property?
2. Is real estate usually assessed at its market value in your community?
3. Why is it difficult properly to assess personal property?
4. What is the rate of taxation in your city or township?
5. Are taxes usually paid with willingness? Why not?
6. What does a person receive in return for the money which he pays as taxes?
7. Are the benefits received generally in proportion to the amount paid?
8. Why is a special tax levied upon dogs?
9. Does any portion of the money which a person pays as taxes to a township or a city treasurer go for the support of the United States government?

## CHAPTER IX

### LIBRARIES

The constitution says that "The legislature shall provide by law for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties, cities and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries."

**Township Library.** — The legislature has provided that a library may be maintained by any organized township and shall be under the control of the township board. The board has power to fix its location, appoint a librarian, purchase books and make all needful rules and regulations to govern it. A tax for its support may be voted at the annual township meeting.

**School District Library.** — A school district library may be established by a majority vote at an annual or special school meeting. When such a library has been established, it is entitled to its share of the books of the township library and its due share of township funds raised for this purpose. The school board has general charge of the district library. The annual school meeting may vote a tax for its support.

**City Library.** — The council of any city may establish and maintain a library and reading room and may

levy a tax for that purpose. Its management is entrusted to a board appointed by the mayor.

**Village Library.** — A village may vote to establish a library and the council may appropriate money for its maintenance. A board is appointed to manage it.

**Library Money.** — In addition to the funds appropriated by the proper authorities as indicated above, libraries receive the money paid as fines for penal offenses. Such fines are paid into the county treasury and distributed annually among the several townships, school districts, villages and cities entitled to receive library money, according to the number of children of school age in each. This money may be used only for library purposes.

**State Library.** — The state library is in the capital building at Lansing, and is under the supervision of a librarian appointed by the governor. It is supported by an appropriation made by the state legislature. A traveling library of fifty choice books may be obtained from the state library by schools, libraries, granges, clubs and societies, at the expense of transportation.

**SUGGESTIONS.** — The members of the class should learn all they can about their local library, — cost of maintenance, number of volumes, how it is managed, selection of books, extent to which it is used, value to the community, etc.

#### QUESTIONS

1. Has your school district a library? If so, are the books in it suitable for the pupils of the school?

2. If your district has not a library, do you think that one should be established?
3. Has your school ever had a "traveling library"?
4. Is it better to have one township library or a library in each school district?
5. Why does not each school district maintain a library?

## CHAPTER X

### THE STATE — THE LEGISLATIVE DEPARTMENT

The legislature is the law-making branch of the state government. It consists of two houses or divisions, the senate, or the upper house, and the house of representatives, or the lower house. The senate is composed of thirty-two members and the house of representatives, often called "the house," of one hundred members. The term of office of the members of both houses is two years.

**Districts.** — Each senator and representative is elected from a separate district unless a city has a population large enough to entitle it to more than one member of the house of representatives, in which case as many representatives are elected from the city at large as it is entitled to. The legislature divides the state according to population into senatorial and representative districts, but if a county is entitled to more than one representative, the board of supervisors divides the county into two or more districts. This division of the state into districts takes place once in ten years, in those years ending in the figure "3," and is based upon the census of the United States taken three years before.

**Qualifications of Members.** — Every member of the legislature must be a citizen of the United States and a qualified voter of the district which he represents.

No United States, state or county officer, except notaries public, officers of the militia and officers elected by townships, may be elected members of the legislature.

**Compensation.** — Members receive \$800 for a regular session of the legislature. For a special session they receive five dollars per day for the first twenty days only. They are paid ten cents per mile for one round trip from their homes to Lansing for each regular and each special session.

**Time of Election.** — Members of the legislature are elected at the general election on the first Tuesday following the first Monday in November of the even years.

**Time of Meeting.** — The regular session of the legislature begins at Lansing on the first Wednesday of January following the election of members. It usually lasts for four or five months, ending when both houses pass resolutions to adjourn.

**Quorum.** — A majority of the members of each house constitutes a quorum; that is, a sufficient number to do business.

**Officers.** — Each house chooses its own officers except that the presiding officer of the senate is the lieutenant governor, who is elected by the people. He has no vote in the senate. The presiding officer of the lower house is called the speaker. He is chosen by the members of that house from their own number. He may vote on all questions. Each house chooses a sergeant-at-arms, who is the police officer for the house. There are also secretaries or clerks for each house, proof-readers, stenographers, pages, etc. The

various officers and employees of the senate usually number about forty-five and of the house about sixty.

**Power of the Houses over their Members.** — Each house is the judge of the qualifications and the election of its own members. It may compel the attendance of absent members by sending the sergeant-at-arms to bring them in. It may expel a member by a two-thirds vote of all the members elected, but a member cannot be expelled a second time for the same cause. Only one member has ever been expelled from the legislature of Michigan.

**How Laws are Made.** — A proposed law, which is called a bill, may be introduced in either house by any member. It is then referred to one of the standing committees, of which there are about sixty in each house, appointed by the presiding officer at the beginning of the session.

The committees consider the bills referred to them and report on them with recommendations that they be passed or that they be not passed. The committees may amend or modify bills before reporting on them. Many bills are killed by the committees; that is, they never report them and they are not, therefore, acted upon by the houses. The work of these committees in framing legislation is very important.

After a bill is reported by a committee of either house with a recommendation that it pass, it is printed. A bill must be read three times; the first and second times it is read by title only, but at the third reading it is read in full.

After a bill has been debated a vote is taken on its passage. The clerk or secretary calls the roll and each member present answers "Aye" or "No." If a majority vote in the affirmative, the bill is passed by that house. The bill then goes to the other house and goes through the same process. If it is passed by that house without amendment, it is sent to the governor for his signature. If the second house amends the bill in any way, it must go back to the house where it originated. If the house that first considered it votes to accept the amendments made by the second house, it is then sent to the governor. If the two houses cannot agree upon the amendments, a conference committee is appointed, composed of a few members of each house, and this committee considers the amendments and tries to reach an agreement. If an agreement is reached, it is reported to both houses, and if they both pass the bill with the amendments as agreed upon by the conference committee, it is sent to the governor.

If the governor approves of the bill, he signs it and it becomes a law. If not, he returns it to the house in which it originated, giving his objections to it. This is called a veto, and it usually kills a bill. The governor does not often use his veto. A bill may be passed, however, over the governor's veto by a two-thirds vote of the members elected to each house. If it is thus passed, it becomes a law without the governor's signature. If a bill is not returned by the governor to the legislature and if he does not sign it within ten days, Sundays excepted, after it has been presented to him, it becomes a law, unless the legis-

lature by adjournment prevents its return, in which case it does not become a law. The governor may prevent a bill from becoming a law, if it is presented to him sometime during the last ten days of a session, by keeping it until after the legislature has adjourned and not signing it. This is called a pocket veto.

**Time of Taking Effect.** — A law takes effect ninety days after the end of the session in which it was passed unless the legislature, by a two-thirds vote of the members elected to each house, gives immediate effect to appropriation bills and acts immediately necessary for the preservation of the public peace, health or safety.

**Referendum.** — Any bill passed by the legislature and approved by the governor, except appropriation bills, may be referred by the legislature to the qualified voters for approval or rejection. No bill so referred becomes a law unless ratified by a majority of the voters voting on it. This is called a referendum. In some states any bill must be referred to the voters if a petition signed by a certain percentage of the voters is presented to the legislature asking for it.

**SUGGESTIONS.** — The latest edition of the Michigan Manual is a valuable book of reference for this and the following chapters.

Ask the member of the legislature from your district to send to the school the Legislative Journal, copies of bills and other illustrative material.

Discuss in class the meaning and merits of important bills.

#### QUESTIONS

1. What is the number of your senatorial district? Of what counties is it composed? Who is your state senator?

2. What is the extent of your representative district? Who is your representative?
3. Why should not the lieutenant governor have a vote in the senate? Why should the speaker of the house have a vote?
4. Why should not a member of the legislature be expelled a second time for the same cause?
5. How does the power of appointing the committees give much influence over the passing of laws to the lieutenant governor and to the speaker?
6. If a committee refuses to report on a bill, can the legislature act upon it? How?
7. Why should a bill be read three times?
8. Why is a bill printed before it is passed?
9. Why should the governor have the power to veto a bill?
10. Why should a law not go into effect until ninety days after the adjournment of the legislature?
11. Why should laws ever be referred to the people for ratification? Why should not all laws be so referred?
12. Do you think that the people should have the power to demand by petition that any law be referred to a vote?
13. What is meant by "the initiative"?

## CHAPTER XI

### THE STATE — THE EXECUTIVE DEPARTMENT

**Officers.** — The executive power of the state is vested in the governor, lieutenant governor, secretary of state, state treasurer, commissioner of the land office, auditor general and attorney general.

They are elected at the general election in November for a term of two years. A superintendent of public instruction is elected at the spring election for a term of two years.

**Governor.** — The governor is the chief executive officer of the state. It is his duty to see that the laws are faithfully executed. He is commander-in-chief of the military and naval forces of the state and may call them out if necessary, to execute the laws, to suppress insurrections and to repel invasion.

He may require information in writing from all executive and administrative state officers upon any subject relating to the duties of their respective offices. Annual reports are made to him by the state officers. He sends messages to the legislature giving information concerning state matters and recommending such measures as he may wish. He calls special elections to fill any vacancies that may occur in the membership of the senate or the house of representatives or the lower house of Congress. He may call special sessions of the legislature. He may grant a reprieve,

a commutation or a pardon to a person convicted of any crime except treason or in case of impeachment. A reprieve postpones the carrying out of a sentence imposed by a judge; a commutation changes the penalty; while a pardon frees a convicted person. The governor may appoint a United States senator if a vacancy occurs when the state legislature is not in session. A senator so appointed holds office only until the close of the next session of the legislature. The chief executive also appoints many state officers and members of state boards. He fills any vacancy that may occur in a state elective office. These appointments must be confirmed by the senate. He makes requisition upon the governor of another state for the return of a criminal that has escaped from Michigan to that state. This is done upon request of the prosecuting attorney of the county where the offense was committed. He may issue extradition papers, when requested to do so by the governor of another state, ordering that a person in Michigan charged with an offense in another state be delivered to the officers of that state. The governor may remove many state, county and local officers for incompetency, neglect of duty or misconduct in office. He is *ex officio* a member of several state boards.

**Qualifications.** — “No person shall be eligible to the office of governor or lieutenant governor who shall not have attained the age of thirty years and who has not been five years a citizen of the United States and a resident of this state two years next preceding his election.” The qualifications for nearly all other state officers are the same as those for a voter.

**Lieutenant Governor.** — The lieutenant governor is the presiding officer of the senate. As such he appoints the committees and in other ways exerts an influence in shaping legislation, but he has no vote.

In case of the impeachment of the governor, his removal from office by death, disability, resignation or absence from the state, the powers and duties of the office devolve upon the lieutenant governor for the remainder of the term or until the disability of the governor ceases.

An impeachment is an accusation brought by a majority vote of the house of representatives against a public officer for misconduct in office. When an officer is impeached, he is tried before the senate. In such a case the senate acts as a court and the proceedings are carried on like a criminal trial. A two-thirds vote of all the members elected to the senate is necessary for a conviction. An officer thus convicted is removed from office. Impeachment very seldom occurs.

During a vacancy in the office of governor, if the lieutenant governor should die, resign, be impeached, or for any other reason be incapable of performing the duties of his office, or be absent from the state, the secretary of state shall act as governor until the vacancy is filled or the disability of the governor or lieutenant governor is removed.

**Secretary of State.** — This officer countersigns all proclamations and commissions issued by the governor. For example, the governor makes a proclamation for Thanksgiving Day every year. He also issues commissions to all officers and members of boards whom

he appoints. The secretary of state keeps the great seal of the state and affixes it to all official documents to show their genuineness. He is custodian of the laws and official records of the state. He publishes the laws, the legislative manual and various reports. He gives notice to the sheriffs of state elections and of the submission of constitutional amendments to a vote of the people. Returns from state and national elections are sent to him. The business of organizing corporations and various matters pertaining to them are carried on through his office.

**Treasurer.** — The treasurer receives all monies paid in for state taxes from the county treasurers and from other sources. He is responsible for these funds until they are paid out according to law. Most of the money of the state is deposited by him in various banks throughout the state. He keeps accounts of all monies received and paid out and makes an annual report to the governor. He is required to give bonds to the amount of \$300,000.

**Auditor General.** — This officer keeps the accounts of the state. It is his business to look out for the financial interests of the state, to prevent money from being spent unlawfully and to keep a check on the treasurer. No money can be paid out of the treasury except upon his order. Certain claims against the state are examined and adjusted by him. He appor-  
tions the state tax among the counties, settles with the county treasurers for money due the state from them and has charge of all delinquent taxes. He audits the accounts of all state institutions.

**Commissioner of the State Land Office.** — This

official has general charge of all state lands. Michigan still owns several hundred thousand acres of land, much of which is poor, but considerable portions of which can be developed into fairly good farms for grazing, fruit or agricultural purposes, and most of which could be reforested. The commissioner issues licenses to homestead settlers, appoints trespass agents and prosecutes trespassers. He attends to all matters of leasing, selling, or otherwise disposing, of state lands. He is a member of various state boards.

**Attorney General.** — The attorney general is the state attorney. He gives opinions on all legal matters submitted to him by the legislature or by any state officer. He prosecutes or defends any suit in the supreme court in which the state is interested. When requested by the legislature or by any state officer he appears for the people in any other court in any matter, civil or criminal, with which the state or any department is concerned. He advises and assists prosecuting attorneys in their work when asked to do so.

**Superintendent of Public Instruction.** — (See the chapter on Educational Matters.)

**Salaries.** — The governor and attorney general each, receives \$5000; the superintendent of public instruction, \$4000; the secretary of state, treasurer, auditor general, and commissioner of the state land office each, \$2500; the lieutenant governor receives the same pay as members of the legislature; but when acting as governor he receives the same salary as the governor.

**Departments.** — Each of the above officers is the head of an executive department, the work of which

is carried on by a considerable force of deputies, assistants, clerks and stenographers.

#### APPOINTIVE STATE OFFICERS

**The Commissioner of Insurance** has supervision over fire, life and marine insurance companies doing business in the state. He examines into their financial condition and responsibility, and sees to it that they comply with the law.

**The Commissioner of Labor** collects and publishes statistics concerning labor. It is his duty to see that all laws concerning sanitary conditions and safety devices in factories and mines, and the working hours of women and children are carried out. He is assisted by a number of inspectors.

**The Commissioner of Mineral Statistics** collects information in regard to the mining and smelting industries of the state. He collects and arranges specimens of ore for distribution among the educational institutions of the state.

**The State Librarian** has charge of the state library at Lansing and the sending out of traveling libraries. Schools, granges, clubs and societies may obtain the use of traveling libraries for a small sum. (Every teacher should send a card to the state librarian asking for information concerning these libraries.)

**The Commissioner of Banking** has supervision of the business of banks organized under the laws of Michigan. Every state bank must make a report to him of its condition and business whenever required to do so. He sends out examiners to inspect the books of banks to see if they are carrying on business in a

safe way. He may close any bank that is not conforming to the law.

**The Dairy and Food Commissioner** is a very important officer. He and his assistants investigate the quality and quantity of food products offered for sale. They may inspect any factory, dairy, creamery, store, bakery, grocery or any other place where such products are made, stored or sold. They obtain samples and have them analyzed. They may prosecute any person who violates the pure-food laws. They may also ascertain whether food put up in packages is of full weight or measure. The work of this department aims to protect the health of the people as well as to prevent fraud.

**The Game, Fish and Forestry Warden** is appointed to enforce the laws for the protection of game, fish and forests. He has several deputies to assist him and he also appoints resident wardens in the different counties to watch for offenders against the game laws and to prevent and extinguish forest fires. He and his assistants may serve papers and make arrests. A careful enforcement of the laws are necessary if the fish and game of the state are not to be exterminated. Forest fires destroy a large amount of property nearly every year and prevent portions of the northern part of the state from being reforested.

**The State Highway Commissioner** gives instruction to local highway officials in the building and repairing of roads. He endeavors to create a public sentiment in favor of good roads and distributes the money appropriated by the state to assist counties and townships in building improved highways.

**The State Oil Inspector** tests the quality of oils offered for sale.

**The State Salt Inspector** analyzes salt manufactured and offered for sale.

**The State Veterinarian** is assigned the task of protecting the live stock of the state from contagious and other diseases. He examines all animals suspected of having disease and may order them to be killed.

**The Adjutant General, the Quartermaster General and the Inspector General** are concerned with military matters. (For their duties see the chapter on Military Affairs.)

All the foregoing officers are appointed by the governor for terms of either two or four years. Their salaries in most cases vary from \$1000 to \$3500.

#### EX OFFICIO STATE BOARDS

The following are *ex officio* boards; that is, they are composed of men who are members because they hold other offices.

**Board of Auditors.**—The secretary of state, the state treasurer and the commissioner of the land office comprise this board. They examine and adjust all claims against the state not otherwise provided for by law. The auditor general adjusts certain claims against the state. This board has power to appropriate money for use in an emergency, as when a building belonging to a state institution is destroyed by fire. It makes contracts for fuel, stationery and printing for the state.

**The Board of Equalization** is composed of the lieutenant governor, the secretary of state, the land

commissioner, the auditor general and the treasurer. (See the chapter on Taxation).

**The Board of Canvassers** comprises the secretary of state, the treasurer and the land commissioner. (See the chapter on Elections.)

**Board of Geological Survey.** — The governor, the superintendent of public instruction and the president of the state board of education constitute this board. It supervises the geological survey of the state.

**The Board of Escheats** consists of the secretary of state, the treasurer and the land commissioner. The work of this board is to dispose of the property of persons who die without leaving a will and who have no legal heirs. Their property is said to escheat to the state. The proceeds from its sale is put into the primary school fund.

**The Board of Fund Commissioners** is composed of the secretary of state, the treasurer and the land commissioner. It may invest any surplus funds of the state in bonds of the state or of the United States. It seldom has any such work to do.

**The Board of Control of St. Mary's Ship Canal and of Portage Lake Ship Canal** consists of the governor, the auditor general and the treasurer. (Pupils should look up these canals.)

**Bureau of Statistics of Labor.** — This board is composed of the commissioner of labor, the deputy commissioner of labor and the secretary of state. It collects and publishes statistics on all kinds of labor, including that in penal institutions, the conditions of laborers, strikes, trades unions, etc.

### BOARDS APPOINTED BY THE GOVERNOR

**Board of Health.** — This board is composed of six members and a secretary appointed by the governor. Its duty is to prevent the spread of contagious diseases and to suppress epidemics by investigating their causes and by enforcing measures of quarantine. It also publishes and distributes circulars and pamphlets for the education of people in matters pertaining to health and sanitation. Especial attention is given to the instruction of teachers and pupils along these lines.

**Board of Corrections and Charities.** — The governor and four other members appointed by him make up this board. It appoints a secretary who gives all his time to the work. It attends to the welfare of the criminal and unfortunate classes and endeavors to lessen their number and alleviate their condition. It visits every year each of the state penal, reformatory and charitable institutions; and each county jail and poorhouse is visited annually by one of the members or by the secretary. Reports are made to the superintendents of the poor of each county concerning the condition of the poorhouse and to the sheriff in regard to the condition of the jail in his county. The board may order such changes in these buildings as they may desire. Plans for new jails must be ratified by the board.

An agent of the board is appointed in every county. His duties are important. He examines into the facts and circumstances connected with the commission of any crime by a child under seventeen years of age and reports the same to the probate court or the

juvenile court. He advises the judge as to the disposition of the child. He brings before the court any child that has not a suitable home or parents, that is neglected or abused, that has fallen into vice or that is incorrigible or a truant. The county agent tries to find suitable homes for orphans, for children taken away from their parents, for abandoned and neglected children, and for children from the State School at Coldwater. He visits and keeps an oversight over such children and changes their homes if necessary.

**Railroad Commission.**— This board consists of three members appointed by the governor. It inspects and supervises the railroads of the state for the purpose of insuring the safety of the public. It may order flagmen, bells or safety gates at crossings, regulate the speed of trains, inquire into the causes of accidents, and enforce the laws governing passenger and freight rates and the safety and convenience of travelers.

There are also the following state boards, appointed by the governor, whose duties are implied in their names: Board of Tax Commissioners (see the chapter on Taxation), Board of Pardons, Board of Library Commissioners, Board of Pharmacy, Live Stock Sanitary Commission, Veterinary Board, Board of Registration in Medicine, Examiners in Dentistry, Board of Osteopathic Registration and Examination, Examiners in Optometry, Board of Registration of Nurses, Board of Law Examiners, Board of Examination and Licensing of Barbers, Board to Regulate the Practice of Horseshoeing, Board of Accountancy, Public Domain Commission, Fish Commission, Mackinac Island Park Commission, Board of Prison

Industries, Board of Mediation and Arbitration, Industrial Accident Board.

### QUESTIONS

1. Would it be wise to elect only the governor and the lieutenant governor and to allow the governor to appoint the other important executive officials of the state as the president appoints the heads of the departments in the national government?
2. Are the voters well qualified to elect the state executive officers?
3. What is meant by "the short ballot"?
4. Does the "spoils" system prevail in the appointment of state officials?
5. Are any appointments made under civil service regulations?
6. Would not an efficient civil service system be a good thing for the state?
7. How does the governor execute the laws of the state?
8. Are there any state lands in your vicinity? Why have they not been bought by private individuals?
9. What is meant by "homesteading" state lands?
10. Are the pure-food laws enforced in your community?
11. Why should there be "closed seasons" for fish and game?
12. Are the fish and game laws enforced in your vicinity? If not, why not?
13. Who is the agent of the State Board of Corrections and Charities in your county? Is he efficient? Why is this an important office? How can a school teacher coöperate with him?
14. What can you tell about the work of the Industrial Accident Board?

## CHAPTER XII

### THE STATE.—THE JUDICIAL DEPARTMENT

For the protection of people from wrong and injury and for the security of their rights courts have been established. The regular courts in Michigan are the justice's, the circuit, the probate and the supreme. There are certain special courts in some of the larger cities because of the large amount of judicial business. Circuit court commissioners may also hold court for certain minor matters.

A suit which is commenced for the purpose of collecting a debt, obtaining payment for damages, securing a personal or property right or preventing a personal wrong is called a civil case. A criminal case has for its object the punishment of a person for a crime or misdemeanor, which is regarded as an injury to society.

The one who starts the suit or makes the complaint is called the plaintiff; the other party to the suit is called the defendant.

**The Justice Court.** — The justice of the peace has exclusive jurisdiction in all civil cases where the amount in controversy does not exceed \$100, and concurrent jurisdiction with the circuit court where the amount in controversy does not exceed \$300. That is, if the amount of money or value of property in dispute is not more than \$100, the case must be brought in the justice court; if the amount in dispute is between \$100

and \$300, the case may be commenced in either the justice court or the circuit court. The legislature may extend the limit to \$500. The justice court has power to try minor criminal cases, such as those for assault and battery, for stealing small amounts, for being drunk and disorderly and for other offenses punishable by a fine not exceeding \$100 or imprisonment in the county jail for not more than three months.

A criminal case is commenced by a person filing a complaint before a justice of the peace, who issues a warrant for the arrest of the person charged with the offense. A constable or sheriff takes the warrant, arrests the accused person and brings him before the justice. If the case is within the jurisdiction of the justice court, it is tried before a jury and the accused is either acquitted or convicted. If convicted, he is either fined or imprisoned in the county jail.

If the case is not within the jurisdiction of the justice court, the justice examines the accused to ascertain if there is good reason to believe that he committed the crime charged. If the justice concludes that there is not sufficient evidence to convict the accused, he is released. If the justice believes that there is evidence enough to show that the accused is probably guilty, he is held for trial in the circuit court.

While he is awaiting trial in the circuit court he is either confined in the county jail or released on bail. When a person is released on bail he gets two or more persons to sign a bond for a certain sum of money as security that he will be present when he is wanted for trial. The amount of the bond varies with the offense charged and is at the discretion of the justice. If the

accused is not present in court when the time for his trial is set, his bondsmen must pay the amount of the bail bond.

In all criminal cases the prosecuting attorney appears in court and acts as attorney for the people; that is, he tries to secure the conviction and punishment of the defendant if he considers him guilty. The defendant has an attorney who defends him in the trial.

Most cases may be appealed from a decision rendered in the justice court to the circuit court, provided either party to a civil case or the defendant in a criminal case is dissatisfied with the decision rendered.

The decision given by the jury in a criminal case is called a verdict. If the verdict finds the defendant guilty, the justice or judge gives the sentence; that is, assigns the punishment of fine or imprisonment or both. In a civil case the decision is usually called a judgment.

**The Probate Court.** — (See chapter V.)

**The Circuit Court.** — The circuit court has what is called both original and appellate jurisdiction. It has appellate jurisdiction over cases from the justice court, the probate court and from circuit court commissioners; that is, cases may be appealed to the circuit court from these inferior courts. Many cases may be begun in the circuit court, hence it is said to have original jurisdiction in such cases. Civil cases involving more than \$100 and cases for the punishment of the greater crimes may be commenced in this court.

The state is divided into thirty-nine judicial circuits, and court is held at least four times each year at the

county seat of every county in each circuit. A judge is elected at the spring election in every circuit for a term of six years. A few circuits have more than one judge. Each judge receives a salary of \$3500 from the state and may be given an additional salary by the boards of supervisors in his circuit.

The county clerk is clerk of the circuit court. The sheriff opens court and serves papers and carries out the orders of the court. A stenographer keeps a record of the proceedings. The judge fixes the times for holding court.

**Juries.** — When a civil case is being tried in the justice court, there is a jury if either party to the suit wishes one. The parties may agree to dispense with a jury and let the justice decide the case. A jury always hears a criminal case. A jury in a justice court consists of six men, and judges both as to the facts in the case and as to the law applicable to it.

A jury is obtained in a justice court by an officer, usually a constable, preparing a list of eighteen names from which each party to the case strikes out six, the remaining six being summoned by writs issued by the justice and served by the constable.

In the circuit court a jury consists of twelve men. Some civil cases are heard and decided by the judge without a jury. The jury decides all questions of fact, while the judge settles all legal questions and instructs the jury in regard to the law in the case. After the jury finds a person guilty the judge pronounces the sentence.

A jury for a circuit court is obtained as follows: Each supervisor prepares a list of persons suitable to

serve on a jury and sends this list to the county clerk. The clerk copies these names on separate pieces of paper of uniform size and appearance and places them in separate packages for each township and ward of a city. Sometime before circuit court is to be held, the clerk, in the presence of the sheriff and one justice of the peace, or two justices of the peace, takes one of the packages of names, places it in a box, shakes the box and draws out one name. This is done with each package of names until enough names have been drawn. Twenty-four names are drawn, as some jurors may be rejected when they are called to sit for a particular case. The circuit judge may order not to exceed twenty-four additional names to be drawn if he thinks it necessary. The sheriff summons to attend court as a juror each person whose name has been drawn.

In the upper peninsula the county clerk, the judge of probate, the sheriff and the county treasurer select the jurymen. A few counties have boards of jury commissioners, who choose jurymen.

A unanimous vote is necessary for a decision by a jury.

**Grand Jury.** — Occasionally when men of prominence or of great influence are suspected of crime, or when for any reason the proper officers may neglect to prosecute offenders or may find it difficult to bring them to justice, a grand jury is summoned by a circuit judge. This consists of not fewer than sixteen nor more than twenty-three men. They are drawn the same as jurors for the circuit court.

They meet in secret session and examine the evidence presented by the prosecuting attorney, or other per-

sons, against any suspected offenders. If they consider the evidence offered as sufficient, they bring in a bill of indictment against the persons charged with crime, who are then arrested and held for trial in the circuit court.

A grand jury does not try a person, but simply ascertains whether there is sufficient evidence of guilt to hold him for trial.

**The Supreme Court.** — This important court is composed of eight justices, two being elected every two years at the spring election (the first Monday in April), for a term of eight years. It holds four sessions each year at Lansing. It has but little original jurisdiction, most of its work consisting of hearing appeals from lower courts and of correcting their errors.

The court chooses a clerk to keep its records, a reporter to publish its decisions, and a crier, who has charge of the rooms occupied by the court and who serves orders and writs for it.

**SUGGESTIONS.** — Pupils should attend one or more trials in a justice's court and in a circuit court if possible.

Various blank writs such as warrants, subpoenas, etc., should be obtained for purposes of illustration.

### QUESTIONS

1. When a person is fined for an offense, what is done with the money?
2. When a judgment is obtained against a person, what is done with the money paid to satisfy the judgment?
3. A steals a horse from B. Trace the case step by step until A is confined in prison.
4. While A is driving along a public highway his horse

breaks through a defective bridge and is killed. A sues for damages. Trace the case.

5. Whose business is it to enforce the laws governing the sale of intoxicating beverages?

6. Whose business is it to enforce the fish and game laws?

7. Suppose that a boy aged fifteen has committed a crime. Tell in detail how his case may be disposed of.

8. What is a felony? Give an example.

9. What is a breach of the peace? Give an example.

10. Suppose a person is injured in a railroad accident and commences suit against the railroad company. Would it be a civil or a criminal case?

11. Why should it be permitted to appeal certain cases from a lower court to a higher court? Why not all cases?

12. Are justices of the peace usually well qualified to hear cases?

13. Are the laws generally well enforced in your community? If not, why not?

## CHAPTER XIII

### MILITARY MATTERS

**The Militia.** — The state militia consists of all able-bodied male citizens between the ages of eighteen and forty-five, with the exception of ministers, teachers, judges, members of the legislature, state and county officers, guards and officials of the state prisons, officials of other state institutions, firemen, and a few others. The enrolled militia is subject to military duty in case of war, rebellion, or invasion, when they may be drafted into the service of the state or of the United States.

**Michigan National Guard.** — The Michigan National Guard is composed of volunteers of sound body between the ages of eighteen and forty-five. The term of enlistment is three years. It is organized into companies, regiments and other military units, with proper officers. It is furnished with uniforms, arms and other equipment by the state. Armories are erected in various cities as places of assembly and practice. The different companies have regular drill, and an encampment for all the state troops is held for a week or ten days, every summer. The men are paid for actual service. They spend most of their time, however, in other employments.

In case of riot, insurrection, or disorder beyond the power of the sheriff or police officers to quell, the governor calls out one or more companies of

the national guard to maintain order and protect life and property.

At present there are three regiments of infantry, each composed of twelve companies; a naval brigade, composed of two battalions; one corps of engineers, two signal corps, two troops of cavalry and one battery of field artillery.

**State Military Department.**—The governor is the commander-in-chief of the state military forces. He appoints an adjutant general, through whom he issues orders and who keeps a record of the troops; an inspector general, who looks after the mustering, discipline, and inspection of the guard; and a quartermaster general, who has charge of all necessary military supplies. A military board of seven members acts as an advisory body to the governor.

#### QUESTIONS

1. What is meant by "drafting" men into the army? Describe the process. Were men ever drafted from the militia of Michigan into the United States army?

2. What is the difference between the national guards of the several states and the standing army of the United States?

3. How is the money supplied for the erection of armories for the Michigan National Guard?

4. Where is the annual encampment of the Michigan National Guard held?

5. Should a large national guard be maintained by the State of Michigan?

## CHAPTER XIV

### STATE CHARITABLE INSTITUTIONS

The **Soldiers' Home**, at Grand Rapids, provides a home for old soldiers. The United States government pays a part of the expense of maintaining it.

The **Home for the Feeble-minded and Epileptic**, at Lapeer, is partly a school and partly an asylum. Its aim is to educate and train the inmates as far as possible, to improve their condition, and to relieve the public schools and society of their presence.

The four **Hospitals for the Insane** are located at Kalamazoo, Pontiac, Traverse City and Newberry, and the **Hospital for Insane Criminals** is at Ionia.

The **State Sanatorium**, at Howell, was established for the treatment of persons afflicted with tuberculosis.

### STATE PENAL INSTITUTIONS

The **State Prison** is located at Jackson, the **House of Correction** and **Branch Prison** at Marquette and the **Michigan Reformatory** at Ionia. The **Detroit House of Correction** is under the control of the city of Detroit, but an arrangement has been made by which female prisoners are kept there by the state. Counties can also arrange to send prisoners there instead of keeping them in the county jails.

These charitable and penal institutions, except the last one, are under the management of separate boards appointed by the governor.

SUGGESTIONS.—The class might investigate and discuss the object of sending men to prison, the discipline of the prisons, the daily life and work of the inmates, modern methods of treating prisoners, indeterminate sentences, paroles, etc.

#### QUESTIONS

1. Is the Home for the Feeble-minded sufficiently large? Do you know of any children that should be sent there?
2. Why should children considerably below the normal in mental capacity be placed by themselves in institutions?
3. Are the prisons of Michigan administered according to the most approved methods?

## CHAPTER XV

### THE STATE EDUCATIONAL SYSTEM

Michigan has a well organized school system so arranged that a child may begin in the primary grades and proceed step by step until he is graduated from the University. There are also several state educational institutions for the training of children and young people in special courses or because of their peculiar conditions or circumstances. (See Chapter II for local school matters.)

**Primary School Fund.** — In addition to the money derived from local taxes, public schools receive aid from the state. In an early day the United States government gave to Michigan the sixteenth section of every congressional township for the support of public schools. As the land of these sections was sold, the proceeds were put into the primary school fund. To this was added one-half the proceeds from the sale of state swamp lands. This fund has been borrowed by the state and used for the building of public institutions. The state pays interest upon it annually, and this interest forms a part of the primary school interest fund.

Taxes paid by the railroads, telegraph and telephone companies, express and Pullman car companies, and other corporations engaged in the transportation business are paid directly into the state treasury. The

balance of the money derived from these taxes after paying the interest on the state debt, if any, and the interest on the primary school fund, the University, Normal College, and Agricultural College funds, is added to the primary school interest fund.

The interest upon the proceeds from lands which have escheated to the state is likewise added to the primary school interest fund.

The primary school interest fund, derived from these sources, but largely from the taxes of railroads and the other kinds of corporations mentioned, is divided by the superintendent of public instruction among the school districts of the state according to the number of children of legal school age in each. This money can be used only to pay teachers, the high school tuition of pupils who have finished the eighth grade and for the transportation of children to school. It is distributed every year in July. If any district has on hand more than enough primary school money to pay its teachers for the next two years, it does not receive any such money until its surplus is reduced to the amount necessary to pay its teachers for two years.

At present the primary school interest fund amounts to over \$5,000,000 annually, or between seven and eight dollars per child.

**One Mill Tax.** — A tax of one mill upon every dollar of assessed valuation of property is levied every year for school purposes unless a district has on hand at the close of the school year as much money as it paid for teachers' wages during the preceding year. This is levied by the supervisor without action of the school

boards. A school board may levy taxes in addition to the one mill tax.

(For the county commissioner of schools and the county board of school examiners see the chapter on Counties.)

**Teachers' Certificates.** — Before a person can legally teach in the public schools he must have a certificate. Such a certificate may be obtained either from a county board of school examiners, a city board of education, a county normal training class, a state normal school, a college, the University, or the state board of education.

The county boards of school examiners hold two regular examinations for teachers, commencing on the last Thursday of April and the second Thursday of August, at the county seats. They issue third, second, and first grade certificates, valid for one, three, and four years respectively, and only in the county where issued. A first grade certificate may become valid anywhere in the state by being endorsed by the superintendent of public instruction.

In cities certificates may be granted by the board of education to teachers, under certain conditions, after examination by the superintendent or after the completion of a course in the city training school.

A graduate of a county normal training class is given a certificate to teach in any school employing not more than two teachers in the county where issued, and is good for three years. It may be renewed.

The four state normal schools grant certificates to their graduates. There are several varieties of these certificates, the kind given to any graduate depending upon the course of study completed.

Graduates of the colleges of the state and of the University are granted certificates to teach by the state board of education provided they have taken certain subjects in their courses of study.

The state board of education likewise grants certificates to persons who pass a state teachers' examination. It also endorses and makes valid in Michigan certificates from other states.

**County Normal Training Classes.** — The superintendent of public instruction may establish a county normal training class in any county except one in which a state normal school is located. This cannot be done until the board of supervisors and the board of education of the district where it is to be located vote for it. The expense of running such a class is borne jointly by the state, the county and the school district in which it is located. It is under the management of a board composed of the state superintendent of public instruction, the county commissioner of schools, and the local superintendent of schools. These classes are intended to furnish trained teachers for the rural schools. They have been established in about one-half the counties of the state.

**Other Schools.** — A township rural high school may be established by the voters of any township. The board of supervisors may establish a county school of agriculture. Two-thirds of the expense of carrying on such a school will be paid by the state. Trade, industrial, marine, vocational and manual training schools may be maintained by any school district if the voters so decide. Upon application by a school board, the superintendent of public instruction may

establish a day school for deaf children in any school district. The expense of such instruction is paid out of the state treasury.

**Superintendent of Public Instruction.** — At the head of the educational system of the state is the superintendent of public instruction. He visits the various educational institutions; receives, compiles, and publishes school statistics; apportions the primary school interest money; prepares questions for teachers' and eighth-grade examinations; appoints instructors for teachers' institutes and has the general management of such gatherings. He is a member of the state board of education, the board of regents, and the board of geological survey. He gives information to teachers and school officers in regard to school laws; establishes county normal training classes and is a member of each county normal board; and delivers educational lectures. He may inspect and correct the records of school districts, may require school officers to obey the law and account for school funds, and he may call upon the governor to remove from office any county commissioner or examiner or other school officer. He has many other important powers and duties concerning educational affairs.

**State Board of Education.** — This board is composed of three members besides the superintendent of public instruction, who is its secretary and a voting member. They are elected, one at a time, at the spring election every two years, for a term of six years. This board has control of the four state normal schools, secures presidents and members of the faculties, prescribes courses of study, grants diplomas and certificates to

the graduates, and attends to all matters of business and finance in connection with those schools.

It also holds examinations for persons wishing to obtain state certificates to teach, grants certificates to certain graduates of the University and the colleges, and endorses certificates from other states.

**Board of Regents.** — This board, composed of eight members, elected for a term of eight years at the spring election, two being elected every two years, has the general management of the University. The superintendent of public instruction is a member *ex officio*, but has no vote. The president of the University, chosen by the board, is *ex officio* its chairman with the privilege of speaking but not of voting.

**Board of Agriculture.** — The control of the Agricultural College is in the hands of this board, composed of six members, two of whom are elected every two years at the spring election for a term of six years. The president of the College, elected by the board, is chairman of the board, but has no vote. The board also manages farmers' institutes.

The University of Michigan is located at Ann Arbor. It ranks among the largest and best universities of the country. At present the annual attendance is over five thousand students. It has many departments and a large faculty of able men. It is supported by fees from students, appropriations by the legislature, a tax of three-eighths of a mill upon every dollar of assessed valuation in the state, and the income from a land fund.

The Federal government gave Michigan two townships, or seventy-two sections, of land for the support

of a university. The proceeds from the sale of these lands constitute the University fund, amounting to something over a half million dollars upon which the state pays interest to the University. The largest part of the revenue of the University comes from the three-eighths mill tax.



UNIVERSITY OF MICHIGAN

The Agricultural College is located at East Lansing. It is supported by appropriations made by the legislature, students' fees, money derived from the sale of products from its farm, one-tenth of a mill tax, the income from certain funds, and money from the United States government.

The funds were created from the sale of certain salt-spring lands and other lands granted for the purpose by the Federal government. That government also gives the College several thousand dollars annually.

for carrying on agricultural education and experimental work.

The College is the oldest and one of the best of its kind in the United States.

The Normal College, located at Ypsilanti, receives a small amount of revenue from a fund created by the sale of certain salt-spring lands set apart for the purpose. This fund has been turned into the state treasury and the state pays interest upon it to the College. Most of its revenue is derived from appropriations made by the legislature. Small student fees are also charged.

The Central State Normal School, located at Mt. Pleasant, the Northern State Normal School, located at Marquette, and the Western State Normal School, located at Kalamazoo, are maintained, together with the Normal College, for the training of teachers. They depend for their support upon appropriations by the legislature, with small amounts from student fees.

The College of Mines was founded for the education of mining engineers and superintendents of mines. It is located at Houghton in the copper country of Upper Michigan. It is under the control of a board of six members appointed by the governor.

The State of Michigan supports several other fine institutions, largely educational in character, for the care and improvement of certain unfortunate classes. Their management is placed in the hands of separate boards appointed by the governor.

The School for the Blind is located at Lansing. Children whose sight is so defective that they cannot attend the public schools profitably are admitted and



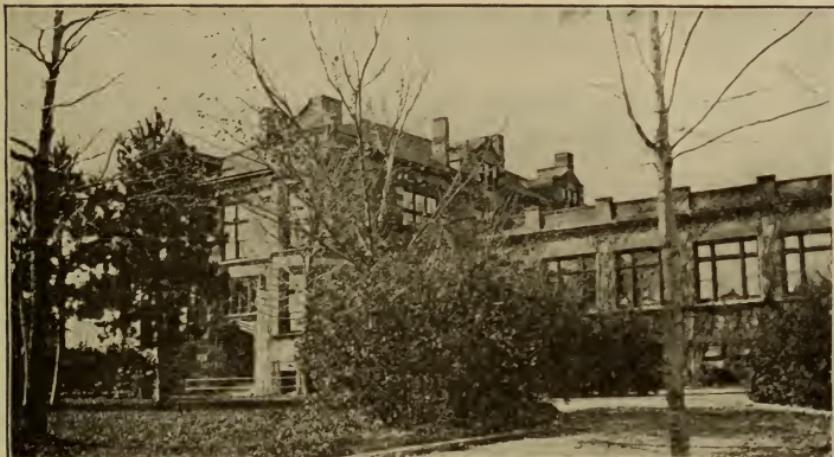
NORMAL COLLEGE, YPSILANTI

receive instruction in the usual school studies, and training in several vocations.

The School for the Deaf, located at Flint, gives the same kind of education for children with defective hearing.



CENTRAL NORMAL SCHOOL, MT. PLEASANT



NORTHERN NORMAL SCHOOL, MARQUETTE

The State Public School provides a temporary home for orphans and other dependent children who are sent there by the probate judges. Permanent homes are found for them as soon as possible. An agent is employed who travels about the state investigating applications for children, taking them to homes, and visiting them and looking after them when they



WESTERN NORMAL SCHOOL, KALAMAZOO

have been placed in homes. The school is located at Coldwater.

The **Industrial School for Boys** is located at Lansing and the **Industrial Home for Girls**, at Adrian. Boys and girls who are persistently truant from school, who cannot be managed by parents and teachers, or who have fallen into vice or crime are sent to these institutions. There they are given good school advantages and are taught useful occupations. They may be placed in suitable homes or discharged at the proper age.

The **Employment Institution for the Blind**, located at Saginaw, teaches adult blind persons trades by which they may support themselves.

**SUGGESTIONS.** — The pupils might ascertain from the director or treasurer the cost of maintaining their school, the amount of primary money received, and other information about the school.

Catalogues of all the state educational institutions and colleges should be kept on file in every school.

### QUESTIONS

1. Name any possible defects in the Michigan educational system. What changes would you suggest?
2. What is the *per capita* cost of maintaining your school for a year?
3. When does land escheat to the state?
4. What is the purpose of teachers' institutes?
5. What is the purpose of farmers' institutes?
6. What is the purpose of the annual state eighth-grade examinations?
7. If a child is expelled from school because of serious

and persistent misconduct, where should he be sent? By what process can this be done?

8. What state institution trains physicians? Engineers? Dentists? Teachers? Farmers?

9. Name and locate the denominational colleges of Michigan.

10. By what process may a student gain admission to the University? To the Normal Schools? To the Agricultural College?



# CONSTITUTION OF THE STATE OF MICHIGAN

[Ratified by the people at the general election in November, 1908.]

## PREAMBLE

We, the people of the state of Michigan, grateful to Almighty God for the blessings of freedom, and earnestly desiring to secure these blessings undiminished to ourselves and our posterity, do ordain and establish this constitution.

## ARTICLE I

### BOUNDARIES AND SEAT OF GOVERNMENT

**Section 1.** The state of Michigan consists of and has jurisdiction over the territory embraced within the following boundaries, to wit: Commencing at a point on the eastern boundary line of the state of Indiana, where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of Maumee Bay shall intersect the same — said point being the northwest *point* of the state of Ohio, as established by act of congress, entitled “An act to establish the northern boundary line of the state of Ohio, and to provide for the admission of the state of Michigan into the Union upon the conditions therein expressed,” approved June fifteenth, eighteen hundred thirty-six; thence with the said boundary line of the state of Ohio, until it intersects the boundary line between the United States and Canada in Lake Erie; thence with the said boundary line between the United States and Canada through the Detroit river, Lake Huron and Lake Superior to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal river; thence through the middle of the main channel of the westerly branch of the Montreal river to *Island Lake*, the head waters thereof; thence in a direct line to the center of the channel between Middle and South Islands in the Lake of the Desert; thence in a direct line to the southern shore of Lake Brule; thence along said southern shore and down the River Brule to the main channel of the Menominee river; thence down the center of the main channel of the same to the

center of the most usual ship channel of the Green Bay of Lake Michigan; thence through the center of the most usual ship channel of the said bay to the middle of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the state of Indiana, as that line was established by the act of congress of the nineteenth of April, eighteen hundred sixteen; thence due east with the north boundary line of the said state of Indiana to the northeast corner thereof; and thence south with the eastern boundary line of Indiana to the place of beginning.

**Sec. 2.** The seat of government shall be at Lansing, where it is now established.

## ARTICLE II

### DECLARATION OF RIGHTS

**Section 1.** All political power is inherent in the people. Government is instituted for their equal benefit, security and protection.

**Sec. 2.** The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the legislature for redress of grievances.

**Sec. 3.** Every person shall be at liberty to worship God according to the dictates of his own conscience. No person shall be compelled to attend, or, against his consent, to contribute to the erection or support of any place of religious worship, or to pay tithes, taxes or other rates for the support of any minister of the gospel or teacher of religion. No money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary; nor shall property belonging to the state be appropriated for any such purpose. The civil and political rights, privileges and capacities of no person shall be diminished or enlarged on account of his religious belief.

**Sec. 4.** Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of such right; and no law shall be passed to restrain or abridge the liberty of speech or of the press.

**Sec. 5.** Every person has a right to bear arms for the defense of himself and the state.

**Sec. 6.** The military shall in all cases and at all times be in strict subordination to the civil power.

**Sec. 7.** No soldier shall, in time of peace, be quartered in any house without the consent of the owner or occupant, nor in time of war, except in a manner prescribed by law.

**Sec. 8.** Neither slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this state.

**Sec. 9.** No bill of attainder, ex post facto law or law impairing the obligation of contracts shall be passed.

**Sec. 10.** The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation.

**Sec. 11.** The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety may require it.

**Sec. 12.** Any suitor in any court of this state shall have the right to prosecute or defend his suit, either in his own proper person or by an attorney or agent of his choice.

**Sec. 13.** The right of trial by jury shall remain, but shall be deemed to be waived in all civil cases unless demanded by one of the parties in such manner as shall be prescribed by law.

**Sec. 14.** No person, after acquittal upon the merits, shall be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for murder and treason when the proof is evident or the presumption great.

**Sec. 15.** Excessive bail shall not be required; excessive fines shall not be imposed; cruel or unusual punishment shall not be inflicted; nor shall witnesses be unreasonably detained.

**Sec. 16.** No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law.

**Sec. 17.** No person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief.

**Sec. 18.** In all prosecutions for libels the truth may be given in evidence to the jury; and, if it shall appear to the jury that the matter charged as libelous is true and was published with good motives and for justifiable ends, the *accused* shall be acquitted.

**Sec. 19.** In every criminal prosecution, the accused shall have the right to a speedy and public trial by an impartial jury, which may consist of less than twelve men in all courts not of record; to be informed of the nature of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; to have the assistance of counsel for his defense; and in courts of record, when the trial court shall so order, to have such reasonable assistance as may be necessary to perfect and prosecute an appeal.

**Sec. 20.** No person shall be imprisoned for debt arising out of, or founded on a contract, express or implied, except in cases of fraud or breach of trust, or of moneys collected by public officers or in any professional employment. No person shall be imprisoned for a military fine in time of peace.

**Sec. 21.** Treason against the state shall consist only in levying war against *it* or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless upon the testimony of two witnesses to the same overt act, or on confession in open court.

## ARTICLE III

### ELECTIVE FRANCHISE

**Section 1.** In all elections, every male inhabitant of this state, being a citizen of the United States; every male inhabitant residing in this state on the twenty-fourth day of June, eighteen hundred thirty-five; every male inhabitant residing in this state on the first day of January, eighteen hundred fifty; every male inhabitant of foreign birth who, having resided in the state two years and six months prior to the eighth day of November, eighteen hundred ninety-four, and having declared his intention to become a citizen of the United States two years and six months prior to said last named day; and every civilized male inhabitant of Indian descent, a native of the United States and not a member of any tribe, shall be an elector and entitled to vote; but no one shall be an elector or entitled to vote at any election unless he shall be above the age of twenty-one years, and has resided in this state six months and in the township or ward in which he offers to vote twenty days next preceding such election: Provided, That in time of war, insurrection or rebellion no qualified elector in the actual military service of the United States or of this state, or in the army or navy thereof, shall be deprived of his vote by reason of his absence from the township, ward or state in which he resides; and the legislature shall *provide by law* the manner in which and the time and place at which such absent electors may vote, and for the canvass and return of their votes.

**Sec. 2.** No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States or of this state, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas, nor while a student at any *institution* of learning, nor while kept at any almshouse or other asylum at public expense, nor while confined in any public prison; except that honorably discharged soldiers, seamen and marines who have

served in the military or naval forces of the United States or of this state and who reside in soldiers' homes established by this state may acquire a residence where such home is located.

**Sec. 3.** No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this state in consequence of being stationed in any military or naval place within the *state*.

**Sec. 4.** Whenever any question is submitted to a vote of the electors which involves the direct expenditure of public money or the issue of bonds, every woman having the qualifications of male electors who has property assessed for taxes in any part of the district or territory to be affected by the result of such election shall be entitled to vote thereon.

**Sec. 5.** Every elector in all cases, except *for* treason, felony or breach of the peace, shall be privileged from arrest during his attendance at elections and in going to and returning from the same.

**Sec. 6.** No elector shall be obliged to do militia duty on the day of election, except in time of war or public danger, or to attend court as a suitor or witness.

**Sec. 7.** All votes shall be given by ballot, except for such township officers as may be authorized by law to be otherwise chosen.

**Sec. 8.** Laws *shall* be passed to preserve the purity of elections and guard against abuses of the elective franchise.

## ARTICLE IV

### DIVISION OF THE POWERS OF GOVERNMENT

**Section 1.** The powers of government are divided into three departments: The legislative, executive and judicial.

**Sec. 2.** No person belonging to one department shall exercise the powers properly belonging to another, except in the cases expressly provided in this constitution.

## ARTICLE V

### LEGISLATIVE DEPARTMENT

**Section 1.** The legislative power is vested in a senate and house of representatives.

**Sec. 2.** The senate shall consist of thirty-two members. Senators shall be elected for two years and by single districts. Such districts shall be numbered from one to thirty-two, inclusive, each of which shall choose one senator. No county shall be divided in the formation of

*senatorial districts, unless such county shall be equitably entitled to two or more senators.*

**Sec. 3.** The house of representatives shall consist of not less than sixty-four nor more than one hundred members. Representatives shall be chosen for two years and by single districts, *which* shall contain as nearly as may be an equal number of inhabitants and shall consist of convenient and contiguous territory; but no township or city shall be divided in the formation of a representative district. When any township or city shall contain a population which entitles it to more than one representative, then such township or city shall elect by general ticket the number of representatives to which it is entitled. Each county, with such territory as may be attached thereto, shall be entitled to a separate representative when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one representative, the board of supervisors shall assemble at such time and place as *shall be prescribed by law*, divide the same into representative districts equal to the number of representatives to which such county is entitled by law, and shall cause to be filed in the offices of the secretary of state and clerk of such county a description of such representative districts, specifying the number of each district and population thereof according to the last preceding enumeration.

**Sec. 4.** At the session in nineteen hundred thirteen, and each tenth year thereafter, the legislature shall by law rearrange the senatorial districts and apportion anew the representatives among the counties and districts according to the number of inhabitants, using as the basis for such apportionment the last preceding United States census of this state. Each apportionment so made, and the division of any county into representative districts by its board of supervisors, made thereunder, shall not be altered until the tenth year thereafter.

**Sec. 5.** Each senator and representative shall be a citizen of the United States and a qualified elector of the district he represents, and his removal from the district shall be deemed a vacation of the office.

**Sec. 6.** No person holding any office under the United States or this state or any county office, except notaries public, officers of the militia and officers elected by townships, shall be eligible to or have a seat in either house of the legislature; and all votes given for any such person shall be void.

**Sec. 7.** No person elected a member of the legislature shall receive any civil appointment within this state or to the senate of the United States from the governor, *except notaries public*, or from the governor and senate, from the legislature, or any other state authority, during the term for which he is elected. All such appointments and all votes

given for any person so elected for any such office or appointment shall be void. No member of the legislature shall be interested directly or indirectly in any contract with the state or any county thereof, authorized by any law passed during the time for which he is elected, nor for one year thereafter.

**Sec. 8.** Senators and representatives shall in all cases, except for treason, felony or breach of the peace, be privileged from arrest during sessions of the legislature and for fifteen days next before the commencement and after the termination thereof. They shall not be subject to any civil process during the same period. They shall not be questioned in any other place for any speech in either house.

**Sec. 9.** The compensation of the members of the legislature shall be eight hundred dollars for the regular session. When convened in extra session their compensation shall be five dollars per day for the first twenty days and nothing thereafter. Members shall be entitled to ten cents per mile and no more for one round trip to each regular and special session of the legislature by the usually traveled route. Each member shall be entitled to one copy of the laws, journals and documents of the legislature of which he is a member, but shall not receive, at the expense of the state, books, newspapers or perquisites of the office not expressly authorized by this constitution.

**Sec. 10.** The president of the senate and speaker of the house of representatives shall be entitled to the same compensation and mileage as members of the legislature and no more.

**Sec. 11.** In case of a contested election, compensation and mileage shall be paid only to the person declared to be entitled to a seat by the house in which the contest takes place.

**Sec. 12.** The election of senators and representatives, pursuant to the provisions of this constitution, shall be held on the Tuesday succeeding the first Monday of November, *nineteen hundred ten*, and on the Tuesday succeeding the first Monday of November of every second year thereafter.

**Sec. 13.** The legislature shall meet at the seat of government on the first Wednesday in January, *nineteen hundred nine*, and on the first Wednesday in January in every second year thereafter, and at no other place or time unless as provided in this constitution; and shall adjourn without day, at such time as shall be determined by concurrent resolution, at twelve o'clock noon.

**Sec. 14.** A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and *may* compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

**Sec. 15.** Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings, but shall not adopt any rule that will prevent a majority of the members elected from discharging a committee from the further consideration of any measure. Each house shall judge of the qualifications, elections and returns of its members, and may, with the concurrence of two-thirds of all the members elected, expel a member. The reasons for such expulsion shall be entered upon the journal, with the names of the members voting on the question. No member shall be expelled a second time for the same cause.

**Sec. 16.** Each house shall keep a journal of its proceedings and publish the same, except such parts as may require secrecy. The yeas and, nays of the members of either house on any question shall be entered on the journal at the request of one-fifth of the members *present*. Any member of either house may dissent from and protest against any act, proceeding or resolution which he may deem injurious to any person or the public, and have the reason for his dissent entered on the journal.

**Sec. 17.** In all elections by either house or in joint convention the votes shall be given *viva voce*. All votes on nominations to the senate shall be taken by yeas and nays and published with the journal of its proceedings.

**Sec. 18.** The doors of each house shall be open unless the public welfare requires secrecy. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than where the legislature may then be in session.

**Sec. 19.** All legislation shall be by bill and may originate in either house of the legislature.

**Sec. 20.** The style of the laws shall be: "The People of the State of Michigan enact."

**Sec. 21.** No law shall embrace more than one object, which shall be expressed in its title. No law shall be revised, altered or amended by reference to its title only; but the act revised and the section or sections of the act altered or amended shall be re-enacted and published at length. No act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, *except that the legislature may give immediate effect to acts making appropriations and acts immediately necessary for the preservation of the public peace, health or safety* by a two-thirds vote of the members elected to each house.

**Sec. 22.** No bill shall be passed or become a law at any regular session of the legislature until it has been printed and in the possession of each house for at least five days. No bill shall be passed at a special

session of the legislature on any other subjects than those expressly stated in the governor's proclamation or submitted by special message. No bill shall be altered or amended on its passage through either house so as to change its original purpose.

**Sec. 23.** Every bill shall be read three times in each house before the final passage thereof. No bill shall become a law without the concurrence of a majority of all the members elected to each house. On the final passage of all bills, the vote shall be by yeas and nays and entered on the journal.

**Sec. 24.** The assent of two-thirds of the members elected to each house of the legislature shall be requisite to every bill appropriating the public money or property for local or private purposes.

**Sec. 25.** Fuel, stationery, blanks, printing and binding for the use of the state shall be furnished under contract or contracts with the lowest bidder or bidders who shall give adequate and satisfactory security for the performance thereof. The legislature shall prescribe by law the manner in which the state printing shall be executed and the accounts rendered therefor; and shall prohibit all charges for constructive labor. It shall not rescind nor alter such contract, nor release the person or persons taking the same or his or their sureties from the performance of any of the conditions of the contract. No member of the legislature nor officer of the state shall be interested directly or indirectly in any such contract.

**Sec. 26.** The legislature may authorize the employment of a chaplain for *each* of the state prisons; but no money shall be appropriated for the payment of any religious services in either house of the legislature.

**Sec. 27.** The legislature may authorize a trial by a jury of a less number than twelve men.

**Sec. 28.** The legislature may provide by law for indeterminate sentences, so called, as a punishment for crime, on conviction thereof, and for the detention and release of persons imprisoned or detained on said sentences.

**Sec. 29.** The legislature shall have power to enact laws relative to the hours and conditions under which women and children may be employed.

**Sec. 30.** The legislature shall pass no local or special act in any case where a general act can be made applicable, and whether a general act can be made applicable shall be a judicial question. No local or special act shall take effect until approved by a majority of the electors voting thereon in the district to be affected.

**Sec. 31.** The legislature shall not authorize by private or special law the sale or conveyance of any real estate belonging to any person.

**Sec. 32.** Divorces shall not be granted by the legislature.

**Sec. 33.** The legislature shall not authorize any lottery nor permit the sale of lottery tickets.

**Sec. 34.** The legislature shall not audit nor allow any private claim or account.

**Sec. 35.** The legislature shall not establish a state paper.

**Sec. 36.** Every bill passed by the legislature shall be presented to the governor before it becomes a law. If he approve, he shall sign it; if not, he shall return it with his objections to the house in which it originated, which shall enter the objections at large upon its journal and reconsider it. On such reconsideration, if two-thirds of the members elected agree to pass the bill, it shall be sent with the objections to the other house, by which it shall be reconsidered. If approved by two-thirds of the members elected to that house, it shall become a law. In such case the vote of both houses shall be determined by yeas and nays and the names of the members voting for and against the bill shall be entered on the journals of each house, respectively. If any bill be not returned by the governor within ten days, Sundays excepted, after it has been presented to him, it shall become a law in like manner as if he had signed it, unless the legislature, by adjournment, prevents its return, in which case it shall not become a law. The governor may approve, sign and file in the office of the secretary of state within five days, *Sundays excepted*, after the adjournment of the legislature any bill passed during the last five days of the session, and the same shall become a law.

**Sec. 37.** The governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items; and the part or parts approved shall be the law; and the item or items disapproved shall be void, unless re-passed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

**Sec. 38.** Any bill passed by the legislature and approved by the governor, except appropriation bills, may be referred by the legislature to the qualified electors; and no bill so referred shall become a law unless approved by a majority of the electors voting thereon.

**Sec. 39.** *All laws enacted at any session of the legislature shall be published in book form within sixty days after the final adjournment of the session, and shall be distributed in such manner as shall be provided by law.* The speedy publication of such judicial decisions as may be deemed expedient shall also be provided for by law. All laws and judicial decisions shall be free for publication by any person.

**Sec. 40.** No general revision of the laws shall hereafter be made.

Whenever necessary, the legislature *shall by law provide* for a compilation of the laws in force, arranged without alteration, under appropriate heads and titles. Such compilation shall be prepared under the direction of commissioners, appointed by the governor, *who may recommend to the legislature the repeal of obsolete laws* and shall examine the compilation and certify to its correctness. When so certified, the compilation shall be printed in such manner as shall be prescribed by law.

## ARTICLE VI

### EXECUTIVE DEPARTMENT

**Section 1.** There shall be elected at each general biennial election a governor, a lieutenant governor, a secretary of state, a state treasurer, a commissioner of the state land office, an auditor general and an attorney general, for the term of two years. They shall keep their offices at the seat of government, *superintend them in person* and perform such duties as may be prescribed by law. *The office of commissioner of the state land office may be abolished by law.*

**Sec. 2.** The *chief executive power* is vested in the governor.

**Sec. 3.** The governor shall take care that the laws be faithfully executed; shall transact all necessary business with the officers of government; and may require information in writing from *all executive and administrative state officers, elective and appointive*, upon any subject relating to the duties of their respective offices.

**Sec. 4.** He shall be commander-in-chief of the military and naval forces, and may call out such forces to execute the laws, to suppress insurrection and to repel invasion.

**Sec. 5.** He shall communicate by message to the legislature, and at the close of his official term to the incoming legislature, the condition of the state, and recommend such measures as he may deem expedient.

**Sec. 6.** He shall issue writs of election to fill such vacancies as occur in the senate or house of representatives.

**Sec. 7.** He may convene the legislature on extraordinary occasions.

**Sec. 8.** He may convene the legislature at some other place when the seat of government becomes dangerous from disease or a common enemy.

**Sec. 9.** He may grant reprieves, commutations and pardons after convictions for all offenses, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to regulations provided by law relative to the manner of applying for pardons. Upon conviction for treason, he may suspend the execution of the sentence until the case shall be reported to

the legislature at its next session, when the legislature shall either pardon or commute the sentence, direct the execution of the sentence or grant a further reprieve. He shall communicate to the legislature at each session information of each case of reprieve, commutation or pardon granted and the reasons therefor.

**Sec. 10.** Whenever a vacancy shall occur in any of the state offices, the governor shall fill the same by appointment, by and with the advice and consent of the senate, if in session.

**Sec. 11.** All official acts of the governor, except his approval of the laws, shall be authenticated by the great seal of the state, which shall be kept by the secretary of state.

**Sec. 12.** All commissions issued to persons holding office under the provisions of this constitution shall be in the name and by the authority of the people of the state of Michigan, sealed with the great seal of the state, signed by the governor and countersigned by the secretary of state.

**Sec. 13.** No person shall be eligible to the office of governor or lieutenant governor who shall not have attained the age of thirty years and who has not been five years a citizen of the United States and a resident of this state two years next preceding his election.

**Sec. 14.** No member of congress nor any person holding office under the United States or this state shall execute the office of governor, *except as provided in this constitution.*

**Sec. 15.** No person elected governor or lieutenant governor shall be eligible to any office or appointment from the legislature, or either house thereof, during the time for which he was elected. All votes for either of them for any such office shall be void.

**Sec. 16.** In case of the impeachment of the governor, his removal from office, death, inability, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term or until the disability ceases. When the governor shall be out of the state at the head of the military force thereof, he shall continue commander-in-chief of all the military force of the state.

**Sec. 17.** During a vacancy in the office of governor, if the lieutenant governor die, resign, or be impeached, displaced, be incapable of performing the duties of his office, or absent from the state, the *secretary of state* shall act as governor until the vacancy be filled or the disability cease.

**Sec. 18.** The lieutenant governor or *secretary of state*, while performing the duties of governor, shall receive the same compensation as the governor.

**Sec. 19.** The lieutenant governor shall be president of the senate, *but shall have no vote.*

**Sec. 20.** The secretary of state, state treasurer and commissioner of the state land office shall constitute a board of state auditors. They shall examine and adjust all claims against the state not otherwise provided for by general law. They shall constitute a board of state canvassers to determine the result of all elections for governor, lieutenant governor, state officers and such other officers as shall by law be referred to them. *They shall act as a state board of escheats and a board of fund commissioners. They shall perform such other duties as may be prescribed by law. In case the office of commissioner of the state land office is abolished, another state officer shall be designated by law as a member of the several boards mentioned in this section.*

**Sec. 21.** The governor and attorney general shall each receive an annual salary of five thousand dollars. The secretary of state, state treasurer, commissioner of the state land office and auditor general shall each receive an annual salary of twenty-five hundred dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with the offices. It shall not be competent for the legislature to increase the salaries herein provided.

## ARTICLE VII

### JUDICIAL DEPARTMENT

**Section 1.** The judicial power shall be vested in one supreme court, circuit courts, probate courts, justices of the peace and *such other courts of civil and criminal jurisdiction, inferior to the supreme court, as the legislature may establish by general law, by a two-thirds vote of the members elected to each house.*

### THE SUPREME COURT

**Sec. 2.** The supreme court shall consist of one chief justice and associate justices, to be chosen by the electors of the state at the regular biennial spring elections; and not more than two justices shall go out of office at the same time. The term of office shall be prescribed by law.

**Sec. 3.** Four terms of the supreme court shall be held annually at such times and places as may be designated by law.

**Sec. 4.** The supreme court shall have a general superintending control over all inferior courts; and shall have power to issue writs of error, habeas corpus, mandamus, quo warranto, procedendo and other

original and remedial writs, and to hear and determine the same. In all other cases it shall have appellate jurisdiction only.

**Sec. 5.** The supreme court shall by general rules establish, modify and amend the practice in such court and in *all other courts of record*, and simplify the same. The legislature shall, as far as practicable, abolish distinctions between law and equity proceedings. The office of master in chancery is prohibited.

**Sec. 6.** The supreme court may appoint and remove its clerk, a reporter of its decisions and a *court crier*, each of whom shall perform such duties and receive such salary as shall be prescribed by law; *and all fees, perquisites and income collected by the clerk shall be turned over by him to the state treasury and credited to the general fund*. No justice of the supreme court shall exercise any other power of appointment to public office.

**Sec. 7.** Decisions of the supreme court, *including all cases of mandamus, quo warranto and certiorari*, shall be in writing, with a concise statement of the facts and reasons for the decisions; and shall be signed by the justices concurring therein. Any justice dissenting from a decision shall give the reasons for such dissent in writing under his signature. All such opinions shall be filed in the office of the clerk of the supreme court.

#### CIRCUIT COURTS.

**Sec. 8.** The state shall be divided into judicial circuits in each of which there shall be elected one circuit judge. The legislature may provide by law for the election of more than one circuit judge in any judicial circuit. A circuit court shall be held at least four times in each year in every county organized for judicial purposes. Each circuit judge shall hold court in the county or counties within the circuit in which he is elected, and in other circuits as may be provided by law. The legislature may by law arrange the various circuits into judicial districts, and provide for the manner of holding courts therein. Circuits and districts may be created, altered or discontinued by law, but no such alteration or discontinuance shall have the effect to remove a judge from office.

**Sec. 9.** Circuit judges shall be elected on the first Monday in April, nineteen hundred eleven, and every sixth year thereafter. They shall hold office for a term of six years and until their successors are elected and qualified. They shall be ineligible to any other than a judicial office during the term for which they are elected and for one year thereafter.

**Sec. 10.** Circuit courts shall have original jurisdiction in all matters civil and criminal not excepted in this constitution and not prohibited

by law, and appellate jurisdiction from all inferior courts and tribunals and a supervisory control of the same. They shall also have power to issue writs of habeas corpus, mandamus, injunction, quo warranto and certiorari and to hear and determine the same; and to issue such other writs as may be necessary to carry into effect their orders, judgments and decrees and give them general control over inferior courts and tribunals within their respective jurisdictions, and in all such other cases and matters as the supreme court shall by rule prescribe.

**Sec. 11.** The clerk of each county organized for judicial purposes shall be clerk of the circuit court for such county. The judges of the circuit courts may fill any vacancy in the offices of county clerk or prosecuting attorney within their respective jurisdictions, but shall not exercise any any other power of appointment to public office.

**Sec. 12.** Each of the judges of the circuit courts shall receive a salary payable *monthly*. *In addition to the salary paid from the state treasury, each circuit judge may receive from any county in which he regularly holds court such additional salary as may be determined from time to time by the board of supervisors of the county. In any county where such additional salary is granted it shall be paid at the same rate to all circuit judges regularly holding court therein.*

#### PROBATE COURTS

**Sec. 13.** In each county organized for judicial purposes, there shall be a probate court. The jurisdiction, powers and duties of such courts and of the judges thereof shall be prescribed by law, *and they shall also have original jurisdiction in all cases of juvenile delinquents and dependents.*

**Sec. 14.** Judges of probate shall be elected in the counties in which they reside, and shall hold office for four years and until their successors are elected and qualified. They shall be elected on the Tuesday succeeding the first Monday of November, nineteen hundred twelve, and every four years thereafter. *The legislature may provide by law for the election of more than one judge of probate in counties with more than one hundred thousand inhabitants, and may provide for the election of such judges in such counties at alternate biennial elections.*

#### JUSTICES OF THE PEACE

**Sec. 15.** There shall be elected in each organized township not to exceed four justices of the peace, each of whom shall hold the office for four years and until his successor is elected and qualified. At the first election in any township they shall be classified as shall be prescribed

by law. A justice elected to fill a vacancy shall hold the office for the residue of the unexpired term. The legislature may provide by law for justices in cities.

**Sec. 16.** In civil cases, justices of the peace shall have exclusive jurisdiction to the amount of one hundred dollars and concurrent jurisdiction to the amount of three hundred dollars, which may be increased to five hundred dollars, with such exceptions and restrictions as may be provided by law. They shall also have such criminal jurisdiction and perform such duties as shall be prescribed by law.

#### GENERAL PROVISIONS

**Sec. 17.** The supreme court and the circuit and probate courts of each county shall be courts of record, and shall each have a common seal.

**Sec. 18.** Justices of the supreme court, circuit judges and justices of the peace shall be conservators of the peace within their respective jurisdictions.

**Sec. 19.** Whenever a judge shall remove beyond the limits of the jurisdiction for which he was elected, or a justice of the peace from the township in which he was elected, or by a change in the boundaries of such township shall be placed without the same, he shall be deemed to have vacated the office.

**Sec. 20.** When a vacancy occurs in the office of judge of any court of record, it shall be filled by appointment of the governor, and the person appointed shall hold the office until a successor is elected and qualified. When elected, such successor shall hold the office the residue of the unexpired term.

**Sec. 21.** The legislature may provide by law for the election of one or more persons in each organized county who may be vested with judicial powers not exceeding those of a judge of the circuit court at chambers.

**Sec. 22.** The style of all process shall be: "In the Name of the People of the State of Michigan."

### ARTICLE VIII

#### LOCAL GOVERNMENT

##### COUNTIES

**Section 1.** Each organized county shall be a body corporate, with such powers and immunities as shall be established by law. All suits and proceedings by or against a county shall be in the name thereof.

**Sec. 2.** No organized county shall be reduced by the organization of new counties to less than sixteen townships as surveyed by the United States, unless in pursuance of law a majority of electors voting on the question in each county to be affected thereby shall so decide. When any city has attained a population of *one hundred thousand* inhabitants, the legislature may organize it into a separate county without reference to geographical extent, *if a majority of the electors of such city and of the remainder of the county* in which such city may be situated voting on the question shall each determine in favor of organizing said city into a separate county.

**Sec. 3.** There shall be elected biennially in each organized county a sheriff, a county clerk, a county treasurer, a register of deeds and a prosecuting attorney, whose duties and powers shall be prescribed by law. The board of supervisors in any county may unite the offices of county clerk and register of deeds in one office or separate the same at pleasure.

**Sec. 4.** The sheriff, county clerk, county treasurer, judge of probate and register of deeds shall hold their offices at the county seat.

**Sec. 5.** The sheriff shall hold no other office, and shall be incapable of holding the office of sheriff longer than four in any period of six years. He may be required by law to renew his security from time to time, and, in default of giving such security, his office shall be deemed vacant. The county shall never be responsible for his acts.

**Sec. 6.** The legislature shall by general law provide for the appointment of a board of jury commissioners in each county; but such law shall not become operative in any county until a majority of the electors of the county voting thereon shall so decide.

**Sec. 7.** A board of supervisors, consisting of one from each organized township, shall be established in each county, with such powers as shall be prescribed by law. Cities shall have such representation in the boards of supervisors of the counties in which they are situated as may be provided by law.

**Sec. 8.** The legislature may by general law confer upon the boards of supervisors of the several counties such powers of a local, legislative and administrative character, not inconsistent with the provisions of this constitution, as it may deem proper.

**Sec. 9.** The boards of supervisors shall have exclusive power to fix the salaries and compensation of all county officials not otherwise provided for by law. The boards of supervisors, or in counties having county auditors, such auditors, shall adjust all claims against their respective counties; *appeals may be taken from such decisions of the boards of supervisors or auditors to the circuit court in such manner as shall be prescribed by law.*

**Sec. 10.** The board of supervisors of any county may *in any one year levy a tax of one-tenth of one mill on the assessed valuation of said county* for the construction or repair of public buildings or bridges, or may borrow an equal sum for such purposes; *and, in any county where the assessed valuation is less than ten million dollars*, the board may levy a tax or borrow for such purposes to the amount of one thousand dollars; but no greater sum shall be raised for such purposes in any county in any one year, unless submitted to the electors of the county and approved by a majority of those voting thereon.

**Sec. 11.** Any county in this state, either separately or in conjunction with other counties, may appropriate money for the construction and maintenance or assistance of public and charitable hospitals, sanatoria or other institutions for the treatment of persons suffering from contagious or infectious diseases. Each county may also maintain an infirmary for the care and support of its indigent poor and unfortunate, and all county poor houses shall hereafter be designated and maintained as county infirmaries.

**Sec. 12.** No county shall incur any indebtedness which shall increase its *total debt* beyond three per cent of its assessed valuation.

**Sec. 13.** No county seat once established shall be removed until the place to which it is proposed to be removed shall be designated by two-thirds of the board of supervisors of the county, and a majority of the electors voting thereon shall have voted in favor of the proposed location, in such manner as shall be prescribed by law.

**Sec. 14.** No navigable stream of this state shall be either bridged or dammed without permission granted by the board of supervisors of the county under the provisions of law, *which permission shall be subject to such reasonable compensation and other conditions as may seem best suited to safeguard the rights and interests of the county and the municipalities therein.* No such law shall preclude the state from improving the navigation of any such stream, nor prejudice the right of individuals to the free navigation thereof.

**Sec. 15.** The board of supervisors of each organized county may organize and *consolidate* townships under such restrictions and limitations as shall be prescribed by law.

#### TOWNSHIPS

**Sec. 16.** Each organized township shall be a body corporate, with such powers and immunities as shall be prescribed by law. All suits and proceedings by or against a township shall be in the name thereof.

**Sec. 17.** The legislature may by general law confer upon organized townships such powers of a local, legislative and administrative charac-

ter, not inconsistent with the provisions of this constitution, as it may deem proper.

**Sec. 18.** There shall be elected annually on the first Monday of April in each organized township one supervisor, one township clerk, one commissioner of highways, one township treasurer, not to exceed four constables and one overseer of highways for each highway district, whose powers and duties shall be prescribed by law.

**Sec. 19.** No township shall grant any public utility franchise which is not subject to revocation at the will of the township, unless such proposition shall have first received the affirmative vote of a majority of the electors of such township voting thereon at a regular or special election.

#### CITIES AND VILLAGES

**Sec. 20.** The legislature shall provide by a general law for the incorporation of cities, and by a general law for the incorporation of villages; such general laws shall limit their rate of taxation for municipal purposes, and restrict their powers of borrowing money and contracting debts.

**Sec. 21.** Under such general laws, the electors of each city and village shall have power and authority to frame, adopt and amend its charter, and, through its regularly constituted authority, to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this state.

**Sec. 22.** Any city or village may acquire, own, establish and maintain, either within or without its corporate limits, parks, boulevards, cemeteries, hospitals, almshouses and all works which involve the public health or safety.

**Sec. 23.** Subject to the provisions of this constitution, any city or village may acquire, own and operate, either within or without its corporate limits, public utilities for supplying water, light, heat, power and transportation to the municipality and the inhabitants thereof; and may also sell and deliver water, heat, power and light without its corporate limits to an amount not to exceed twenty-five per cent of that furnished by it within the corporate limits; and may operate transportation lines without the municipality within such limits as may be prescribed by law: Provided, That the right to own or operate transportation facilities shall not extend to any city or village of less than twenty-five thousand inhabitants.

**Sec. 24.** When a city or village is authorized to acquire or operate any public utility, it may issue mortgage bonds therefor beyond the general limit of bonded indebtedness prescribed by law: Provided,

That such mortgage bonds issued beyond the general limit of bonded indebtedness prescribed by law shall not impose any liability upon such city or village, but shall be secured only upon the property and revenues of such public utility, including a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise shall in no case extend for a longer period than twenty years from the date of the sale of such utility and franchise on foreclosure.

**Sec. 25.** No city or village shall have power to abridge the right of elective franchise, to loan its credit, nor to assess, levy or collect any tax or assessment for other than a public purpose. Nor shall any city or village acquire any public utility or grant any public utility franchise which is not subject to revocation at the will of the city or village, unless such proposition shall have first received the affirmative vote of three-fifths of the electors of such city or village voting thereon at a regular or special municipal election; and upon such proposition women taxpayers having the qualifications of male electors shall be entitled to vote.

#### GENERAL PROVISIONS

**Sec. 26.** The legislature may by general law provide for the laying out, construction, improvement and maintenance of highways, bridges and culverts by counties, *districts* and townships; and may authorize counties or *districts* to take charge and control of any highways within their limits for such purposes. The legislature may also by general law prescribe the powers and duties of boards of supervisors in relation to highways, bridges and culverts; may provide for county and *district* road commissioners to be appointed or elected, with such powers and duties as may be prescribed by law; and may change and abolish the powers and duties of township commissioners and overseers of highways. *The legislature may provide by law for submitting the question of adopting a county or district road system to the electors of the counties or proposed districts, and such road system shall not go into operation in any county or district until approved by a majority of the electors thereof voting on such question.* The tax raised for road purposes shall not exceed in any one year three dollars upon each one thousand dollars of assessed valuation for the preceding year.

**Sec. 27.** The legislature shall not vacate nor alter any road laid out by commissioners of highways, or any street, *alley or public ground* in any city or village or in any recorded town plat.

**Sec. 28.** No person, partnership, association or corporation operating a public utility shall have the right to the use of the highways, streets, alleys or other public places of any city, village or township for wires,

poles, pipes, tracks or conduits, without the consent of the duly constituted authorities of such city, village or township; nor to transact a local business therein without first obtaining a franchise therefor from such city, village or township. The right of all cities, villages and townships to the reasonable control of their streets, alleys and public places is hereby reserved to such cities, villages and townships.

**Sec. 29.** No franchise or license shall be granted by any municipality of this state for a longer period than thirty years.

## ARTICLE IX

### IMPEACHMENTS AND REMOVALS FROM OFFICE

**Section 1.** The house of representatives shall have the sole power of impeaching civil officers for corrupt conduct in office, or for crimes or misdemeanors; but a majority of the members elected shall be necessary to direct an impeachment.

**Sec. 2.** When an impeachment is directed, the house of representatives shall elect from its own body three members, whose duty it shall be to prosecute such impeachment. No impeachment shall be tried until the final adjournment of the legislature, when the senate shall proceed to try the same.

**Sec. 3.** Every impeachment shall be tried by the senate. When the governor or lieutenant governor is tried, the chief justice of the supreme court shall preside. When an impeachment is directed, the senate shall take an oath or affirmation truly and impartially to try and determine the same according to the evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. Judgment in case of impeachment shall not extend further than removal from office, but the person convicted shall be liable to punishment according to law.

**Sec. 4.** No judicial officer shall exercise his office after an impeachment is directed until he is acquitted.

**Sec. 5.** The governor may make a provisional appointment to fill a vacancy occasioned by the suspension of an officer, until he shall be acquitted or until after the election and qualification of a successor.

**Sec. 6.** For reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any judge on a concurrent resolution of two-thirds of the members elected to each house of the legislature; and the cause for which such removal is required shall be stated at length in such resolution.

**Sec. 7.** The governor shall have power and it shall be his duty, except at such time as the legislature may be in session, to examine into

the condition and administration of any public office and the acts of any public officer, elective or appointive; to remove from office for gross neglect of duty or for corrupt conduct in office, or any other misfeasance or malfeasance therein, any elective or appointive state officer, except legislative or judicial, and report the causes of such removal to the legislature at its next session.

**Sec. 8.** Any officer elected by a county, city, village, township or school district may be removed from office in such manner and for such cause as shall be prescribed by law.

## ARTICLE X

### FINANCE AND TAXATION

**Section 1.** All subjects of taxation now contributing to the primary school interest fund under present laws shall continue to contribute to that fund, and all taxes from such subjects shall be first applied in paying the interest upon the primary school, university and other educational funds in the order herein named, after which the surplus of such moneys shall be added to and become a part of the primary school interest fund.

**Sec. 2.** The legislature shall provide by law for an annual tax sufficient with other resources to pay the estimated expenses of the state government, the interest on any state debt and such deficiency as may occur in the resources.

**Sec. 3.** The legislature shall provide *by law* a uniform rule of taxation, except on property paying specific taxes, and taxes shall be levied on such property as shall be prescribed by law: Provided, That the legislature shall provide *by law* a uniform rule of taxation for such property as shall be assessed by a state board of assessors, and the rate of taxation on such property shall be the rate which the state board of assessors shall ascertain and determine is the average rate levied upon other property upon which ad valorem taxes are assessed for state, county, township, school and municipal purposes.

**Sec. 4.** The legislature may by law impose specific taxes, which shall be uniform upon the classes upon which they operate.

**Sec. 5.** The legislature may provide by law for the assessment at its true cash value by a state board of assessors, *of which the governor shall be ex-officio a member*, of the property of corporations and the property, by whomsoever owned, operated or conducted, engaged in the business of transporting passengers and freight, transporting property by express, operating any union station or depot, transmitting messages

by telephone or telegraph, loaning cars, operating refrigerator cars, fast freight lines or other car lines and running or operating cars in any manner upon railroads, or engaged in any other public service business; and for the levy and collection of taxes thereon.

**Sec. 6.** Every law which imposes, continues or revives a tax shall distinctly state the tax, and the objects to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

**Sec. 7.** All assessments hereafter authorized shall be on property at its cash value.

**Sec. 8.** In the year *nineteen hundred eleven*, every fifth year thereafter and at such other times as the legislature may direct, the legislature shall provide by law for an equalization of assessments by a state board, on all taxable property, except that taxed under laws passed pursuant to sections *four and five* of this article.

**Sec. 9.** The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any municipal corporation shall be a party.

**Sec. 10.** The state may contract debts to meet deficits in revenue, but such debts shall not in the aggregate at any time exceed *two hundred fifty thousand dollars*. The state may also contract debts to repel invasion, suppress insurrection, defend the state or aid the United States in time of war. The money so raised shall be applied to the purposes for which it is raised or to the payment of the debts contracted.

**Sec. 11.** No scrip, certificate or other evidence of state indebtedness shall be issued, except for such debts as are expressly authorized in this constitution.

**Sec. 12.** The credit of the state shall not be granted to, nor in aid of any person, association or corporation, *public or private*.

**Sec. 13.** The state shall not subscribe to, nor be interested in the stock of any company, association or corporation.

**Sec. 14.** The state shall not be a party to, nor be interested in any work of internal improvement, nor engage in carrying on any such work, except in the improvement of, or aiding in the improvement of the public wagon roads, *in the reforestation and protection of lands owned by the state* and in the expenditure of grants to the state of land or other property.

**Sec. 15.** No state money shall be deposited in banks other than those organized under the national or state banking laws. No state money shall be deposited in any bank in excess of fifty per cent of the capital and surplus of such bank. Any bank receiving deposits of state money shall show the amount of state money so deposited as a separate item in all published statements.

**Sec. 16.** No money shall be paid out of the *state* treasury except in pursuance of appropriations made by law.

**Sec. 17.** An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws passed at every regular session of the legislature.

**Sec. 18.** The legislature shall provide by law for the keeping of accounts by all state officials, boards and institutions, and by all county officials; and shall also provide for the supervision and audit thereof by competent state authority and for uniform reports of all public accounts to such authority. Such systems of account shall provide for accurate records of all financial and other transactions and for checks upon all receipts and disbursements of all such officials, boards and institutions; and shall be uniform for all similar boards, institutions and county officials. All public accounts and the audit thereof shall be public records and open to inspection.

**Sec. 19.** No collector, holder or disburser of public moneys shall have a seat in the legislature, nor be eligible to any office of trust or profit under this state, until he shall have accounted for and paid over, as provided by law, all sums for which he may be liable.

## ARTICLE XI

### EDUCATION

**Section 1.** Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

**Sec. 2.** A superintendent of public instruction shall be elected at the regular election to be held on *the first Monday in April, nineteen hundred nine*, and every second year thereafter. He shall hold office for a period of two years from the first day of *July following his election* and until his successor is elected and qualified. He shall have general supervision of public instruction in the state. *He shall be a member and secretary of the state board of education.* He shall be *ex-officio a member of all other boards* having control of public instruction in any state institution, with the right to speak but not to vote. His duties and compensation shall be prescribed by law.

**Sec. 3.** There shall be a board of regents of the university, consisting of eight members, who shall hold the office for eight years. There shall be elected at each regular biennial spring election two members of such board. When a vacancy shall occur in the office of regent it shall be filled by appointment of the governor.

**Sec. 4.** The regents of the university and their successors in office shall continue to constitute the body corporate known as "The Regents of the University of Michigan."

**Sec. 5.** The regents of the university shall, as often as necessary, elect a president of the university. The president of the university and the *superintendent of public instruction* shall be ex-officio members of the board of regents, with the privilege of speaking but not of voting. The president shall preside at the meetings of the board and be the principal executive officer of the university. The board of regents shall have the general supervision of the university and the direction and control of all expenditures from the university funds.

**Sec. 6.** The state board of education shall consist of four members. On the first Monday in April, nineteen hundred nine, and at each succeeding biennial spring election, there shall be elected one member of such board who shall hold his office for six years from the first day of July following his election. The state board of education shall have general supervision of the state normal college and the state normal schools, and the duties of said board shall be prescribed by law.

**Sec. 7.** There shall be elected on the first Monday in April, nineteen hundred nine, a state board of agriculture to consist of six members, two of whom shall hold the office for two years, two for four years and two for six years. At every regular biennial spring election thereafter, there shall be elected two members whose term of office shall be six years. The members thus elected and their successors in office shall be a body corporate to be known as "The State Board of Agriculture."

**Sec. 8.** The state board of agriculture shall, as often as necessary, elect a president of the agricultural college, who shall be ex-officio a member of the board with the privilege of speaking but not of voting. He shall preside at the meetings of the board and be the principal executive officer of the college. The board shall have the general supervision of the college, and the direction and control of all agricultural college funds; and shall perform such other duties as may be prescribed by law.

**Sec. 9.** The legislature shall continue a system of primary schools, whereby every school district in the state shall provide for the education of its pupils without charge for tuition; and all instruction in such schools shall be conducted in the English language. If any school district shall neglect to maintain a school within its borders as prescribed by law for at least five months in each year, or to provide for the education of its pupils in another district or districts for an equal period, it shall be deprived for the ensuing year of its proportion of the primary school interest fund.

**Sec. 10.** The legislature shall maintain the university, the college of mines, the state agricultural college, the state normal college and such state normal schools and other educational institutions as may be established by law.

**Sec. 11.** The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the state for educational purposes and the proceeds of all lands or other property given by individuals or appropriated by the state for like purposes shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant or appropriation.

**Sec. 12.** All lands, the titles to which shall fail from a defect of heirs, shall escheat to the state, and the interest on the clear proceeds from the sales thereof shall be appropriated exclusively to the support of the primary schools.

**Sec. 13.** The legislature shall appropriate all salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have already been sold, and any *funds or lands* which may hereafter be granted or appropriated for such purpose, for the support and maintenance of the agricultural college.

**Sec. 14.** The legislature shall provide by law for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties, *cities* and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries.

**Sec. 15.** Institutions for the benefit of those inhabitants who are deaf, dumb, blind, *feeble-minded* or insane shall always be fostered and supported.

## ARTICLE XII

### CORPORATIONS

**Section 1.** Corporations may be formed under general laws, but shall not be created, *nor shall any rights, privileges or franchises be conferred upon them*, by special act of the legislature. All laws *heretofore or hereafter* passed by the legislature for the formation of, or conferring rights, privileges or franchises upon corporations and all rights, privileges or franchises conferred by such laws may be amended, altered, repealed or abrogated.

**Sec. 2.** The term "corporation" as used in this *article* shall be construed to include all associations and joint stock companies hav-

ing any of the powers or privileges of corporations not possessed by individuals or partnerships. All corporations shall have the right to sue and be subject to be sued in all courts in like cases as natural persons.

**Sec. 3.** No corporation shall be created for a longer period than thirty years, except for municipal, railroad, *insurance, canal or cemetery purposes, or corporations organized without any capital stock for religious, benevolent, social or fraternal purposes*; but the legislature may provide by general laws, applicable to any corporations, for one or more extensions of the term of such corporations, while such term is running, not exceeding thirty years for each extension, on the consent of not less than two-thirds of the capital stock of the corporation; and by like general laws for the corporate reorganization for a further period, not exceeding thirty years, of such corporations whose terms have expired by limitation, on the consent of not less than four-fifths of the capital stock.

**Sec. 4.** The stockholders of every corporation and joint stock association shall be individually liable for all labor performed for such corporation or association.

**Sec. 5.** No corporation shall hold any real estate for a longer period than ten years, except such real estate as shall be actually occupied by such corporation in the exercise of its franchises.

**Sec. 6.** The legislature shall pass no law renewing or extending any special act of incorporation heretofore granted.

**Sec. 7.** The legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on different railroads in this state, *and may pass laws establishing reasonable maximum rates of charges for the transportation of property by express companies in this state, and may delegate such power to fix reasonable maximum rates of charges for the transportation of freight by railroad companies and for the transportation of property by express companies to a commission created by law*; and shall prohibit running contracts between such railroad companies whereby discrimination is made in favor of either of such companies as against other companies owning connecting or intersecting lines of railroad.

**Sec. 8.** No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon at least sixty days' public notice to all stockholders in such manner as shall be provided by law.

**Sec. 9.** No general law providing for the incorporation of trust companies or corporations for banking purposes, or regulating the business

thereof, shall be adopted, amended or repealed except by a vote of two-thirds of the members elected to each house of the legislature. Such laws shall not authorize the issue of bank notes or paper credit to circulate as money.

## ARTICLE XIII

### EMINENT DOMAIN

**Section 1.** Private property shall not be taken by the public nor by any corporation for public use, without *the necessity therefor being first determined and just* compensation therefor being first made or secured in such manner as shall be prescribed by law.

**Sec. 2.** When private property is taken for the use or benefit of the public, the necessity for using such property and the just compensation to be made therefor, except when to be made by the state, shall be ascertained by a jury of twelve freeholders residing in the vicinity of such property, or by not less than three commissioners appointed by a court or record, as shall be prescribed by law: Provided, That the foregoing provision shall not be construed to apply to the action of commissioners of highways *or road commissioners* in the official discharge of their duties.

**Sec. 3.** Private roads may be opened in the manner prescribed by law; but in every case the necessity for the road and the amount of all damages to be sustained by the opening thereof shall be first determined by a jury of six freeholders or by not less than three commissioners, and such amount, together with the expense of proceedings, shall be paid by the person or persons to be benefited.

**Sec. 4.** The regents of the university of Michigan shall have power to take private property for the use of the university, in the manner prescribed by law.

## ARTICLE XIV

### EXEMPTIONS

**Section 1.** The personal property of every resident of this state, to consist of such property only as shall be designated by law, shall be exempted to the amount of not less than five hundred dollars from sale on execution or other final process of any court.

**Sec. 2.** Every homestead of not exceeding forty acres of land and the dwelling house thereon and the appurtenances to be selected by the owner thereof and not included in any town plat, city or village; or instead thereof, at the option of the owner, any lot in any city, village

or recorded town plat, or such parts of lots as shall be equal thereto, and the dwelling house thereon and its appurtenances, owned and occupied by any resident of the state, not exceeding in value fifteen hundred dollars, shall be exempt from forced sale on execution or any other final process from a court. Such exemption shall not extend to any mortgage thereon lawfully obtained, but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of his wife to the same.

**Sec. 3.** The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of his debts in all cases during the minority of his children.

**Sec. 4.** If the owner of a homestead die, leaving a widow but no children, such homestead shall be exempt, and the rents and profits thereof shall accrue to her benefit during the time of her widowhood, unless she be the owner of a homestead in her own right.

## ARTICLE XV

### MILITIA

**Section 1.** The militia shall be composed of all able-bodied male citizens between the ages of eighteen and forty-five years, except such as are exempted by the laws of the United States or of this state; but all such citizens of any religious denomination, who, from scruples of conscience, may be averse to bearing arms, shall be excused therefrom upon such conditions as shall be prescribed by law.

**Sec. 2.** The legislature shall provide by law for organizing, equipping and disciplining the militia in such manner as it shall deem expedient, not incompatible with the laws of the United States.

**Sec. 3.** Officers of the militia shall be elected or appointed and be commissioned in such manner as may be prescribed by law.

## ARTICLE XVI

### MISCELLANEOUS PROVISIONS

**Section 1.** The terms of office of all elective state officers and of all judges of courts of record shall begin on the first day of January next succeeding their election, except as otherwise prescribed in this constitution. The terms of office of all county officers shall begin on the first day of January next succeeding their election, except as otherwise prescribed by law.

**Sec. 2.** Members of the legislature and all officers, executive and

judicial, except such officers as may by law be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of —— according to the best of my ability." No other oath, declaration or test shall be required as a qualification for any office or public trust.

**Sec. 3.** Neither the legislature *nor any municipal authority* shall grant or authorize extra compensation to any public officer, agent, employé or contractor after the service has been rendered or the contract entered into. Salaries of public officers, *except circuit judges*, shall not be increased, nor shall the salary of any public officer be decreased, after election or appointment.

**Sec. 4.** In case two or more persons have an equal and the highest number of votes for any office, as canvassed by the board of state canvassers, the legislature in joint convention shall choose one of said persons to fill such office. When the determination of the board of state canvassers is contested, the legislature in joint convention shall decide which person is elected.

**Sec. 5.** The legislature may provide by law the cases in which any office shall be deemed vacant and the manner of filling vacancies, where no provision is made in this constitution.

**Sec. 6.** The laws, public records and the written judicial and legislative proceedings of the state shall be conducted, promulgated and preserved in the English language.

**Sec. 7.** The legislature may establish courts of conciliation with such powers and duties as shall be prescribed by law.

**Sec. 8.** The real and personal estate of every woman, acquired before marriage, and all property to which she may afterwards become entitled by gift, grant, inheritance or devise shall be and remain the estate and property of such woman, and shall not be liable for the debts, obligations or engagements of her husband, and may be devised or bequeathed by her as if she were unmarried.

**Sec. 9.** Aliens, who are or who may hereafter become bona fide residents of this state, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property as native born citizens.

**Sec. 10.** No lease or grant of agricultural land *for agricultural purposes* for a longer period than twelve years, reserving any rent or service of any kind, shall be valid.

## ARTICLE XVII

## AMENDMENT AND REVISION

**Section 1.** Any amendment or amendments to this constitution may be proposed in the senate or house of representatives. If the same shall be agreed to by two-thirds of the members elected to each house, such amendment or amendments shall be entered on the journals, respectively, with the yeas and nays taken thereon; and the same shall be submitted to the electors at the next spring or autumn election thereafter, as the legislature shall direct; and, if a majority of electors qualified to vote for members of the legislature voting thereon shall ratify and approve such amendment or amendments, the same shall become part of the constitution.

**Sec. 2.** Amendments may also be proposed to this constitution by petition of the qualified electors of this state but no proposed amendment shall be submitted to the electors unless the number of petitioners therefor shall exceed twenty per cent of the total number of electors voting for secretary of state at the preceding election of such officer. All petitions shall contain the full text of any proposed amendment, together with any existing provisions of the constitution which would be altered or abrogated thereby. Such petitions shall be signed at the regular registration or election places at a regular registration or election under the supervision of the officials thereof, who shall verify the genuineness of the signatures and certify the fact that the signers are registered electors of the respective townships and cities in which they reside, and shall forthwith forward the petitions to the secretary of state. All petitions for amendments filed with the secretary of state shall be certified by that officer to the legislature at the opening of its next regular session; and, when such petitions for any one proposed amendment shall be signed by not less than the required number of petitioners, he shall also submit the proposed amendment to the electors at the first regular election thereafter, unless the legislature in joint convention shall disapprove of the proposed amendment by a majority vote of the members elected. The legislature may, by a like vote, submit an alternative or a substitute proposal on the same subject. The action of the legislature shall be entered on the journal of each house, with the yeas and nays taken thereon. But no amendment to this section may be proposed in the manner herein prescribed.

If a majority of the electors qualified to vote for members of the legislature voting thereon shall ratify and approve any such amendment or

amendments, the same shall become a part of the constitution: Provided, That for any amendment proposed under this section, the affirmative vote shall be not less than one-third of the highest number of votes cast at the said election for any office. In case alternative proposed amendments on the same subject are submitted at the same election, the vote shall be for one of such alternatives or against such proposed amendments as a whole. If the affirmative vote for one proposed amendment is the required majority of all the votes cast for and against such proposed amendments, it shall become a part of the constitution. If the total affirmative vote for such alternative proposed amendments is the required majority of all the votes for and against them, but no one proposed amendment receives such majority, then the proposed amendment which receives the largest number of affirmative votes shall be submitted at the next regular election, and if it then receives the required majority of all the votes cast thereon it shall become a part of the constitution. The legislature shall enact appropriate laws to carry out the provisions of this section.

**Sec. 3.** All proposed amendments to the constitution submitted to the electors shall be published in full, with any existing provisions of the constitution which would be altered or abrogated thereby, and a copy thereof shall be posted at each registration and election place. Proposed amendments shall also be printed in full on a ballot or ballots separate from the ballot containing the names of nominees for public office.

**Sec. 4.** At the general election to be held in the year nineteen hundred twenty-six, in each sixteenth year thereafter and at such other times as may be provided by law, the question of a general revision of the constitution shall be submitted to the electors qualified to vote for members of the legislature. In case a majority of such electors voting at such election shall decide in favor of a convention for such purpose, at the next biennial spring election the electors of each senatorial district of the state as then organized shall elect three delegates. The delegates so elected shall convene at the state capitol on the first Tuesday in September next succeeding such election, and shall continue their sessions until the business of the convention shall be completed. A majority of the delegates elected shall constitute a quorum for the transaction of business. The convention shall choose its own officers, determine the rules of its proceedings and judge of the qualifications, elections and returns of its members. In case of a vacancy by death, resignation or otherwise, of any delegate, such vacancy shall be filled by appointment by the governor of a qualified resident of the same district. The convention shall have power to appoint such officers, employés and assistants as it may deem necessary and to fix their compensation, and

to provide for the printing and distribution of its documents, journals and proceedings. Each delegate shall receive for his services the sum of one thousand dollars and the same mileage as shall then be payable to members of the legislature, but such compensation may be increased by law. No proposed constitution or amendment adopted by such convention shall be submitted to the electors for approval as hereinafter provided unless by the assent of a majority of all the delegates elected to the convention, the yeas and nays being entered on the journal. Any proposed constitution or amendments adopted by such convention shall be submitted to the qualified electors in the manner provided by such convention on the first Monday in April following the final adjournment of the convention; but, in case an interval of at least ninety days shall not intervene between such final adjournment and the date of such election, then it shall be submitted at the next general election. Upon the approval of such constitution or amendments by a majority of the qualified electors voting thereon such constitution or amendments shall take effect on the first day of January following the approval thereof.

## AMENDMENTS TO THE CONSTITUTION

### ARTICLE VIII

**Sec. 12.** No county shall incur any indebtedness which shall increase its total debt beyond three per cent of its assessed valuation, except counties having an assessed valuation of five million dollars or less, which counties may increase their total debt to five per cent of their assessed valuation.

Amendment ratified November 8, 1910.

Effective January 1, 1911.

### ARTICLE XI

**Sec. 9.** The legislature shall continue a system of primary schools whereby every school district in the state shall provide for the education of its pupils without charge for tuition; and all instruction in such schools shall be conducted in the English language. If any school district shall neglect to maintain a school within its borders as prescribed by law for at least five months in each year, or to provide for the education of its pupils in another district or districts for an equal period, it shall be deprived for the ensuing year of its proportion of the primary school interest fund. If any school district shall, on the second Monday in July of any year, have on hand a sufficient amount of money in the primary school interest fund to pay its teachers for the next ensuing two years as determined from the pay roll of said district for the last school year, and in case of a primary district, all tuition for the next ensuing two years, based upon the then enrollment in the seventh and eighth grades in said school district, the children in said district shall not be counted in making the next apportionment of primary school money by the superintendent of public instruction; nor shall such children be counted in making such apportionment until the amount of money in the primary school interest fund in said district shall be insufficient to pay teachers' wages or tuition as herein set forth for the next ensuing two years.

Amendment ratified April 3, 1911.

Effective January 1, 1912.

## SCHEDEULE

That no inconvenience may arise from the changes in the constitution of this state, and in order to carry the same into complete operation, it is hereby declared that:

**Section 1.** The common law and the statute laws now in force, not repugnant to this constitution, shall remain in force until they expire by their own limitations, or are altered or repealed.

**Sec. 2.** All writs, actions, causes of action, prosecutions and rights of individuals, and of bodies corporate, and of the state, and all charters of incorporation which shall not have been heretofore forfeited or become subject to forfeiture shall continue; and all complaints, informations or indictments which shall have been made, filed or found or which may hereafter be made, filed or found for any crime or offense committed before the adoption of this constitution, may be proceeded upon as if no change had taken place. The several courts shall continue with the same powers and jurisdiction, both at law and in equity, as heretofore, until otherwise provided by law.

**Sec. 3.** All fines, taxes, penalties, forfeitures and escheats, accruing to the state or any municipal corporation under the existing constitution and laws, shall accrue to the use of the state or such municipal corporation under this constitution.

**Sec. 4.** All recognizances, bonds, obligations and all other instruments entered into or executed before the adoption of this constitution to the people of this state, or to any municipal corporation, or to any public officer or public body, or which may be entered into or executed under existing laws to the people of this state or to any such officer or public body shall remain binding and valid, and rights and liabilities upon the same shall continue and may be prosecuted as provided by law. And all crimes and misdemeanors and penal actions shall be prosecuted, tried and punished as though no change had taken place, until otherwise provided by law.

**Sec. 5.** All officers, civil and military, now holding any office or appointment, shall continue to hold their respective offices, unless removed by competent authority, until superseded under the laws now in force or under this constitution.

**Sec. 6.** All officers elected under the existing constitution and laws on the Tuesday after the first Monday of November, nineteen hundred eight, shall take office on and after the first day of January, nineteen hundred nine, under this constitution.

**Sec. 7.** Until otherwise provided, the salaries or compensation of all

public officers shall continue as provided under the existing constitution and laws.

**Sec. 8.** The attorney general of the state shall prepare and report to the legislature at the commencement of the next session such changes in existing laws as may be deemed necessary to adapt the same to this constitution.

**Sec. 9.** Any territory attached or that may be attached to any county for judicial purposes, if not otherwise represented, shall be considered as forming a part of such county, so far as regards elections for the purpose of representation.

**Sec. 10.** This constitution shall be submitted to the people for their adoption or rejection at the general election to be held on the Tuesday after the first Monday of November, nineteen hundred eight. It shall be the duty of the secretary of state to forthwith give notice of such submission to the sheriffs of the several counties, and it shall also be the duty of the secretary of state and all other officers required to give or publish any notice in regard to said election, to give notice as provided by law in case of an election for governor, that this constitution will be duly submitted to the electors at said election.

**Sec. 11.** Every person entitled to vote for members of the legislature under the existing constitution and laws may vote on said adoption or rejection, and the board of election commissioners in each county shall cause to be printed on a ballot separate from the ballot containing the names of the nominees for office the words "Adoption of the Revised Constitution [ ] Yes." "Adoption of the Revised Constitution [ ] No." All votes cast at said election shall be taken, counted, canvassed and returned as provided by law for the election of state officers. Should the revised constitution so submitted receive more votes in its favor than shall be cast against it, it shall be the supreme law of the state on and after the first day of January, nineteen hundred nine, except as herein otherwise provided; otherwise it shall be rejected.

Adopted by the Constitutional Convention, February 21, 1908, and ratified by the electors, November 3, 1908.



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